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Acting United States Trustee for Region 18

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON**

In re

Peter Szanto,

Debtor.

Case No. 16-33185-pcm11

**UNITED STATES TRUSTEE'S
OBJECTION TO CONFIRMATION OF
CHAPTER 11 PLAN**

Hearing Date: November 29, 2017

Hearing Time: 10:00 a.m.

Location: Courtroom 1

The Acting United States Trustee for Region 18, Gail Brehm Geiger (the "UST"), by and through Trial Attorney Carla Gowen McClurg, objects to confirmation of the debtor's First Modified Chapter 11 Plan of Reorganization filed on May 8, 2017, ECF No. 102, (the "Plan"). A hearing regarding confirmation of the Plan is scheduled for November 29, 2017 at 10:00 a.m. The UST respectfully requests that confirmation of the Plan be denied because it does not comply with the requirements of 11 U.S.C. §§ 1129(a)(2) and (a)(3).

Summary of Relevant Facts

The debtor filed a voluntary chapter 11 petition on August 16, 2017, ECF No. 1. On August 30, 2016, the debtor filed his schedules, statements, and related documents, ECF No. 20

(the “Bankruptcy Documents”). The debtor signed the Bankruptcy Documents under penalty of perjury.

In response to items 17 and 18 on Schedule A/B filed on August 30, 2016, the debtor disclosed the following checking, savings, and financial accounts: “Union Bank debtor in possession accounts” with a balance of \$103,000 and “E*Trade Financial, variable amount based on trading and performance” with a value of \$1,432,607. No other bank or financial accounts were disclosed on Schedule A/B. The box marked “No” was checked in response to question 20 on the Statement of Financial Affairs filed on August 30, 2016 in response to the question: “Within 1 year before you filed for bankruptcy were any financial accounts or instruments held in your name, or for your benefit, closed, sold, moved, or transferred?”

The debtor testified under oath at his meeting of creditors held pursuant to 11 U.S.C. § 341(a) on September 20, 2016 (the “First Meeting”). The debtor testified during the First Meeting that he prepared the Bankruptcy Documents and that they are true, complete, and accurate. The debtor further testified during the First Meeting that there were no changes, corrections, or clarifications that he would like to make to the Bankruptcy Documents other than a correction to his Schedule I regarding the length of his employment and adding a response to a question on Schedule E/F regarding the Internal Revenue Service’s claim. The debtor also testified during the First Meeting that he listed all of his assets and all of his creditors.

The debtor testified during the First Meeting that he did not have funds in any other accounts other than Union Bank and E*Trade. The debtor also testified during the First Meeting that he had closed all other bank and financial accounts that existed before his bankruptcy filing.

The debtor thereafter filed various versions of a plan and disclosure statement. As relevant to this objection, the debtor filed Peter Szanto’s Chapter 11 1st Amended Plan of

Reorganization on May 8, 2017, ECF No. 102 (the “Plan”). The debtor filed the Debtor’s Third Amended Disclosure Statement Accompanying 1st Amended Plan of Reorganization on August 17, 2017, ECF No. 164 (the “Disclosure Statement”) after the Court did not approve prior filed versions. In the Disclosure Statement, the debtor included, on pages 11-12, a section titled “Contingency Planning” in which he represented that “reserves are available in any scenario which may require a resolution of a deficiency due to decreased income,” including a “Current Bank Balance for any possible deficiency = \$201,000” and “Current Brokerage Assets Available for possible deficiency = \$1,380,000.” On page 14 of the Disclosure Statement, in the section titled “Debtor’s Assets and Liabilities,” the debtor listed “Cash on Hand/Bank Accounts” of \$193,983 and “Brokerage/Retirement Accounts” of \$1,380,000.

It is not clear whether the accounts summarized by the debtor in the Disclosure Statement included all of his bank and investment accounts. The debtor did not disclose the location of accounts in the Disclosure Statement. The Court approved the Disclosure Statement pursuant to an order entered on September 5, 2017.

The debtor filed monthly operating reports after the petition date. The debtor signed the monthly operating reports under penalty of perjury. The monthly operating reports reported ending bank balances on form UST-38, Personal Comparative Balance Sheet.

The debtor separately provided to the UST printouts from the internet for Union bank account numbers ending 2572 and 2850 that he represented were his debtor-in-possession bank account statements. The debtor provided the UST with printouts for only Union bank account numbers ending 2572 and 2850 for the period of September 2016 through July 2017. The bank balances reported by the debtor on his monthly operating reports on form UST-38 generally matched the bank balances on the printouts for Union bank account numbers ending 2572 and

2850 provided by the debtor to the UST.

On September 6, 2017, the debtor emailed to counsel for the UST various documents, including an amended Schedule A/B, attached hereto as Exhibit 1, which was not accepted by the Court for filing. The unfiled amended Schedule A/B emailed by the debtor to counsel for the UST on September 6, 2017 listed for the first time, in response to item 17, a savings account located at HSBC bank with a balance of \$249,000.

On September 12, 2017, the UST filed a Notice of Special Meeting of Creditors, ECF No. 180, calling a special meeting of creditors pursuant to Federal Rule of Bankruptcy Procedure 2003(f) on October 17, 2017 at 10:00 a.m. Counsel for the UST emailed the Notice of Special Meeting of Creditors to the debtor on September 12, 2017, which is attached hereto as Exhibit 2. In the September 12, 2017 email, counsel for the UST requested that the debtor promptly file with the Court all appropriate amendments to accurately reflect his assets, liabilities, and financial transactions and provide documents in advance of his special meeting of creditors by October 10, 2017. The documents requested by the UST included: (1) statements for all stock and investment accounts since August 1, 2016; (2) statements for all bank accounts whether held in the name of the debtor, jointly with another, or in the name of another for his benefit since August 1, 2016; (3) check ledgers for all accounts for activity since August 1, 2016; and (4) proof of the opening of an HSBC account referenced in a motion filed by the debtor on July 25, 2017, ECF No. 137.

The Internal Revenue Service through its attorneys at the United States Department of Justice, Tax Division, issued subpoenas to obtain bank statements and items from various financial institutions. The bank statements produced to the Internal Revenue Service, as included in support of the Internal Revenue Service's Motion to Convert or Appoint a Trustee

filed on September 20, 2017, ECF No. 185 (the “Motion to Convert”), revealed various accounts held in the debtor’s name post-petition not disclosed on the Bankruptcy Documents or the monthly operating reports, including at least accounts located at Union Bank (account number ending 8286), Bank of America (account numbers ending 8699 and 2779), and HSBC (account numbers ending 9269, 7256, and 0793¹).

The bank statements for the Union bank account numbers ending 2572 and 2850 included with the Motion to Convert do not match the bank statements produced by the debtor to the UST with his monthly operating reports for the period of approximately September 2016 through April 2017.

For example, the printout provided by the debtor to the UST for Union Bank account number ending 2572 showed a balance as of October 31, 2016 of \$15,417.19, but the bank statement marked Bates No. UnionB-000040 attached to the Motion to Convert for the same account shows a balance as of October 31, 2016 of \$1,604.85. Similarly, the printout provided by the debtor to the UST for Union Bank account number ending 2580 showed a balance as of October 31, 2016 of \$112,125.83, but the statement marked Bates No. UnionB-000121 showed a balance as of October 31, 2016 of \$.02 for the same account and an undisclosed account number ending 8286 with a balance of \$45,624.97. Additionally, a statement for HSBC account number ending 7256 attached to the Motion to Convert marked Bates No. HSBC-000137 reflects an account held in the name of the debtor with a balance of \$327,322.52 on October 31, 2016. The debtor did not provide the UST with statements for HSBC account number ending 7256 for October 2016. Exhibit 3 attached hereto includes the Union bank printouts provided by the debtor to the UST for October 2016. Exhibit 4 attached hereto includes bank statements for

¹ The debtor provided a printout for HSBC account number ending 0793 starting with the August 2017 monthly operating report. It appears the HSBC account number ending 0793 was opened before August 2017 by the debtor.

October 2016 filed in support of the Motion to Convert.

The debtor did not produce documents in advance of the special meeting of creditors on October 17, 2017 other than the documents attached hereto as Exhibit 5. The debtor appeared for the special meeting of creditors on October 17, 2017 but refused to answer questions by the UST. Pursuant to the Court's ruling at a hearing on October 18, 2017 denying the debtor's Notice of Motion and Motion for Protective Order as to Creditors Meeting Pending 11 U.S.C. § 341(e) Motion for Court to Order Trustee Not to Convene Meeting of Creditors filed on October 17, 2017 at 9:31 a.m., the debtor appeared for the special meeting of creditors on October 18, 2017 (the "Special Meeting").

The debtor testified under oath at the Special Meeting. The debtor testified during the Special Meeting that, among other things, since August 1, 2016, there were accounts held in his name, the name of another for his benefit, or jointly with another located at Union Bank, CIT Bank, Pacific Western Bank, Capital One Bank, Bank of America, and HSBC.

The UST was unable to conclude the Special Meeting due to the debtor's failure to provide requested documents and file amended bankruptcy documents. The UST continued the Special Meeting to November 21, 2017 and filed a Notice of Continued Special Meeting of Creditors on October 19, 2017, ECF No. 209, indicating that the debtor must appear on November 21, 2017 unless the UST informed him in writing that his appearance was not necessary based on the UST's review of amended documents to be filed with the Court and documents to be provided to the UST. Counsel for the UST emailed the Notice of Continued Special Meeting of Creditors to the debtor on October 19, 2017.

The Notice of Special Meeting of Creditors required that the debtor provide to the UST a copy of all filed federal and state tax returns for tax year 2016 by October 25, 2017; file amended

bankruptcy documents and monthly operating reports, if appropriate, by November 8, 2017; and provide to the UST various documents by November 8, 2017.

As of the date of this motion, the debtor has provided to the UST state and federal tax returns for tax year 2016 that he represents were filed. The debtor has not filed amended his bankruptcy documents or monthly operating reports and has not provided the documents to the UST outlined in the Notice of Continued Special Meeting of Creditors.

Discussion

1. The Plan does not comply with 11 U.S.C. § 1129(a)(2).

Section 1129(a)(2) of the Bankruptcy Code requires the proponent of a plan to comply “with all applicable provisions of this title.” 11 U.S.C. § 1129(a)(2). Section 1129(a)(2) is concerned with the applicable activities of a plan proponent under the Bankruptcy Code. *In re Downtown Inv. Clue, LLP*, 89 B.R. 59, 65 (9th Cir. BAP 1988). In determining whether a plan proponent has complied with this section, courts focus on whether the plan proponent has adhered to the disclosure and solicitation requirements of sections 1125 and 1126 of the Code. *In re Brothby*, 303 B.R. 177, 192-93 (9th Cir. BAP 2003).

The principal purpose of section 1129(a)(2) is to require, as a condition of confirmation, that the court ascertain whether the proponent of the plan under consideration has complied with the requirements of section 1125 in the solicitation of acceptances of the plan. *See e.g. Tenn-Fla Partners v. First Union National Bank of Florida*, 229 B.R. 720, 732 (Bankr. W.D. Tenn. 1999); *In re Trans World Airlines, Inc.*, 185 B.R. 302, 313 (Bankr. E.D. Mo. 1995). Disclosure statements must contain “adequate information” consistent with section 1125 of the Bankruptcy Code in order to be approved by the Court. 11 U.S.C. § 1125(a), (b); *In re Kelley*, 199 B.R. 698, 703 (9th Cir. BAP 1996).

The debtor in this case has failed to comply with the applicable provisions of the Bankruptcy Code as required by section 1129(a)(2). The debtor has failed to fully and completely disclose all of his assets, including bank and financial accounts. The debtor has not filed amended bankruptcy documents to disclose all of his assets and did not disclose assets not included in the Bankruptcy Documents in the Disclosure Statement. It is also unclear, due to the debtor's failure to produce documents to the UST, if the debtor has accurately and completely disclose his post-petition transactions and financial accounts on his monthly operating reports.

2. The Plan does not comply with 11 U.S.C. § 1129(a)(3).

Section 1129(a)(3) of the Bankruptcy Code requires that a plan be “proposed in good faith and not by any means forbidden by law.” 11 U.S.C. § 1129(a)(3). The Ninth Circuit has held that, although the Bankruptcy Code does not define “good faith,” “[a] plan is proposed in good faith where it achieves a result consistent with the objectives and purposes of the Code.” *In re Sylmar Plaza, L.P.*, 314 F.3d 1070, 1074 (9th Cir. 2002) (citing *In re Corey*, 892 F.2d 829, 835 (9th Cir. 1989)).

The requirement of good faith must be viewed in light of the totality of the circumstances surrounding the establishment of a chapter 11 plan. *Id.* at 1074. As noted by the court in *In re Stolrow's, Inc.*, 84 B.R. 167 (9th Cir. BAP 1988),

Good faith in proposing a plan of reorganization is assessed by the Bankruptcy Judge and viewed under the totality of the circumstances. (*Jorgensen v. Federal Land Bank of Spokane (In re Jorgensen*, 66 B.R. 104, 108-09 (9th Cir. BAP 1986). Good faith requires . . . a fundamental fairness in dealing with one's creditors. *Id.* at 109. The Bankruptcy Judge is in the best position to assess the good faith of the parties. *Id.* at 172.

In this case, the Plan has not been proposed in good faith. The debtor has failed to disclose all of his assets, may have filed incomplete or inaccurate monthly operating reports, and

has failed to produce documents requested by the United States Trustee pertaining to his post-petition finances. The totality of the circumstances of this case demonstrate that the debtor has not proposed the Plan in good faith and that the Plan fails to comply with section 1129(a)(3).

Conclusion

Confirmation of the Plan should be denied because it does not comply with sections 1129(a)(2) and (a)(3).

DATED this 15th day of November, 2017.

Respectfully submitted,
GAIL BREHM GEIGER
Acting United States Trustee for Region 18

/s/ Carla Gowen McClurg
CARLA GOWEN McCLURG, OSB #165144
Trial Attorney

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2017, I served a copy of the foregoing **UNITED STATES TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 11 PLAN** by mailing a copy of this document, by United States first class mail, postage prepaid, addressed to the following:

Peter Szanto
POB 4614
Portland, OR 97208

I further certified that I emailed a copy of the foregoing document to the debtor on November 15, 2017 at the following email address: szanto.pete@gmail.com.

GAIL BREHM GEIGER
Acting United States Trustee for Region 18

/s/ Carla Gowen McClurg
CARLA GOWEN McCLURG, OSB #165144
Trial Attorney

Exhibit 1

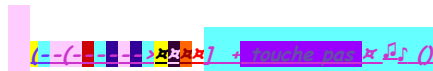
From: [Peter S anto](#)
To: [McClurg, Carla \(USTP\)](#)
Subject: s anto 16 33185
Date: Wednesday, September 06, 2017 10:00:20 PM
Attachments: [cv Reply JPM.pdf](#)
[E_A Chase debt 1 5 2017.pdf](#)
[E_B Prete 1.pdf](#)
[E_C Prete.pdf](#)
[cv 9 1 17 Protection.pdf](#)
[cv ATTACHME T.pdf](#)
[cv Form b 106 ab.pdf](#)
[cv POS.pdf](#)

Dear Ms Mc Clurg

please find attached:

- request for immunity from service
- response to JPM
- asset update that was rejected (I will revise ASAP)

--



PETER SZANTO 503-610-0865
P.O. Box 4614
Portland OR 97208

United States Bankruptcy Court

in and for the District of OREGON

1001 SW 5th Av., Portland OR 97204

16 –bk-33185 pcm11

In Re Peter Szanto, Debtor

Debtor / Plaintiff's Notice of Motion and
Motion for Immunity from
Service of Process While On the
Way to, OR From, OR While
Attending any Hearing in this
Bankruptcy and its Associated
Adversarial Proceedings at
1001 SW 5th Av., Portland OR
Courthouse

(Expedited Consideration is Prayed)

Hon. Judge Peter C. McKittrick, presiding

Please take notice, comes now debtor making Expedited Motion for
consideration of the following emergency application:

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1
2 as predicted by debtor, Victor Szanto and Evye Szanto were able to
3 prevail upon their close personal friend, the judge assigned to the hearing
4 of Victor and Evye Szanto's Violence Protection Application in Nevada,
5 to continue that order of protection.
6

7 However, continuation of the order of protection is predicated on
8 personal service of that order on Peter Szanto.
9

10 Thereon, debtor, asks pursuant to long and well established
11 precedent, that his attendance at this Court's Bankruptcy Courthouse be
12 immunized against the possibility of personal service on the way to, or
13 from, and while at the Courthouse.
14

15 **1. Plaintiff's Certification Relating to Pre-filing Conferral**
16 **(Certification Pursuant to LBR 7007-1(a))**
17

18 In regard of conferral as to the motion herein, plaintiff contacted
19 defendant's counsel Mr. Henderson by e-mail [EXHIBIT A] .
20

21 After 11 days, plaintiff has received no response of any type.
22

23 Therefore, per LBR 7007-1(a)(1)(B), I have made reasonable
24 efforts to confer, but the opposing party refused to confer in good faith or
25 did not respond to movant's requests.
26

27 16-bk-33185

Immunity Against Service of Process ó pg. 2
28

1
2
3 I certify under penalty of perjury. under the laws of the United
4 States, that foregoing is true and correct. Signed at Portland OR.

5 DATED 9-5-2017 ___/s/_____ Peter Szanto
6
7

8 **2. Essential Facts**
9

10 Debtor approaches the Court regarding the on-going issue of
11 cross-complainants in adversarial proceeding 16-ap-3114 pursuing the
12 identical relief in Nevada as they seek in this Court (enjoining of debtor's
13 efforts to recover debtor's money and property which is in the possession
14 and under the control of the cross-complainants).

15 On 8-15-2017, cross-complainants obtained continuation of
16 an order of protection against debtor. However, the condition precedent for
17 that order to become effective is personal service of that order upon
18 debtor.
19

20 Without addressing any other issue in the dispute between the
21 parties, debtor prays to be immunized from service of process from the
22 Nevada action during those times when he is: **on the way to OR on his**
23 **way from OR in attendance at the Portland, Oregon Bankruptcy**
24 **Courthouse.**

25
26 16-bk-33185

Immunity Against Service of Process 6 pg. 3

1
2 **3. Memorandum**
3

4
5 **a. Request for Expedited Hearing**
6

7
8 Local Rule 7007-1(c) allows expedited hearings.
9

10 The reason expedited hearing is necessary here is because
11 debtor will soon be at Portland Bankruptcy Courthouse and desires to
12 be able to attend official hearings with the security that he will not be
13 served with process in the action identified above.
14

15
16
17 **b. Service of Process Should Not Impede this Court's Work**
18

19
20 The fundamental issue here is whether debtor will be able to
21 come to the Bankruptcy Courthouse with confidence that he will not be
22 served with process from another action in another court in another state.
23

24 The United States Supreme Court has settled this exact issue
25 more than 100 years ago:
26

27 16-bk-33185 Immunity Against Service of Process ó pg. 4
28

1
2 **"Courts of justice ought everywhere to be open, accessible, free from**
3 **interruption, and to cast a perfect protection around every man who**
4 **necessarily approaches them. The citizen, in every claim of right which he**
5 **exhibits, and every defense which he is obliged to make, should be permitted**
6 **to approach them, not only without subjecting himself to evil, but even free**
7 **from the fear of molestation or hindrance. He should also be enabled to**
8 **procure, without difficulty, the attendance of all such persons as are**
9 **necessary to manifest his rights. Now, this great object in the administration**
10 **of justice would in a variety of ways be obstructed, if parties and witnesses**
11 **were liable to be served with process, while actually attending the court. It is**
12 **often matter of great importance to the citizen, to prevent the institution**
13 **and prosecution of a suit in any court, at a distance from his home and his**
14 **means of defense; and the fear that a suit may be commenced there by**
15 **summons, will as effectually prevent his approach as if a *capias* might be**
16 **served upon him."**

17 *Stewart v. Ramsay*, (1916) 242 U.S. 128, 129

18 Further to explain the reasoning for its decision, the United
19 States Supreme Court elaborated its decision:

20 **"Witnesses would be chary of coming within our jurisdiction, and would be**
21 **exposed to dangerous influences, if they might be punished with a law suit**
22 **for displeasing parties by their testimony; and even parties in interest,**
23 **whether on the record or not, might be deterred from the rightfully fearless**
24 **assertion of a claim or the rightfully fearless assertion of a defense, if they**
25 **were liable to be visited on the instant with writs from the defeated party.**

1
2 Since this decision, the federal Circuit and District Courts have consistently
3 sustained the privilege. *Juneau Bank v. McSpedan*, 5 Bissell, 64; Fed. Cas.
4 7,582; *Brooks v. Farwell*, 4 Fed. Rep. 166; *Atchison v. Morris*, 11 Fed. Rep.
5 582; *Nichols v. Horton*, 14 Fed. Rep. 327; *Wilson Sewing Mch. Co. v. Wilson*,
6 22 Fed. Rep. 803; *Small v. Montgomery*, 23 Fed. Rep. 707; *Kinne v. Lant*, 68
7 Fed. Rep. 436; *Hale v. Wharton*, 73 Fed. Rep. 739; *Morrow v. U.H. Dudley &*
8 *Co.*, 144 Fed. Rep. 441; *Skinner & Mounce Co. v. Waite*, 155 Fed. Rep. 828;
9 *Peetv. Fowler*, 170 Fed. Rep. 618; *Roschynialski v. Hale*, 201 Fed. Rep.
10 1017.”

11 *Stewart v. Ramsay* (*ibid*, 130-131)

12 A Wisconsin Federal District Court also interpreted the issue
13 and provides this analysis:

14
15 Immunity from service of process "is founded on the necessities of the
16 judicial administration, which would often be embarrassed -- probably
17 sometimes interrupted -- if the suitor, while attending court for the
18 protection of his rights, or a witness while attending, either with or without
19 the service of a subpoena, should be troubled with process. If such were
20 allowed, suitors and witnesses might be deterred from attending court,
21 whereby injustice may be done."

22 *Juneau Bank v. McSpedan*, (1860) 14 F. Cas. 51

23
24 In this case, debtor has several actions before this Court,
25 interruptions and meddling by parties to those actions cannot serve any

26 16-bk-33185

Immunity Against Service of Process 6 pg. 6

1
2 legitimate purpose over which this Court has jurisdiction. As a matter of
3 fact, defendants in action 16-ap-3114 sole purpose in undertaking the
4 Nevada action was solely to interfere with the procedures in this Court.

5
6 This Court should grant debtor immunity from service so that
7 the actions herein may proceed without unnecessary inter-meddling which
8 can do nothing but waste time and this Court's judicial resources.

9
10
11 **c. Conclusion**

12 This application is made in the core case, because debtor
13 seeks immunity when attending this court in any part of his Bankruptcy.

14
15 The fundamental purpose here is to protect, as the Supreme
16 Court has articulated:

17
18 **"The citizen, in every claim of right which he exhibits, and every defense**
19 **which he is obliged to make, should be permitted to approach them, not only**
20 **without subjecting himself to evil, but even free from the fear of molestation**
21 **or hindrance."**

22 ***Stewart (ibid)* 129**

23
24 Debtor asks only that he be allowed to pursue this Bankruptcy

25
26 16-bk-33185

Immunity Against Service of Process 6 pg. 7

1
2 and its related adversarial actions in confidence that he will not be
3 accosted by service of process from other actions in other jurisdictions,
4 the only purpose of which is to thwart debtor's ability effectively to pursue
5 this Bankruptcy.

6
7 Respectfully,

8
9 Dated 9/5/17 _____ Peter Szanto

10
11
12
13 **PROOF OF SERVICE**

14
15 **My name is Jakkob Szanto, I am over 20 years of age and not a**
16 **party to the with action. My business address is PO Box 4614, Portland**
17 **OR 97208. On the date indicated below, I personally served the within:**

18 **Application for Immunity from Service**

19
20 **on Department of Justice by expedited e-mail:**

21 BORIS KUKSO, counsel for Internal Revenue Service,
22 electronically to Boris.Kukso@usdoj.gov

23
24 **and** on, in the manner indicated:

25 16-bk-33185 Immunity Against Service of Process 6 pg. 8
26
27
28

ATTACHMENT

A. Assets at Wells-Fargo were gifted to Jakkob Szanto and Randee Szanto in 2014. Since that time Debtor did not participate in any way in those assets. IRS subpoena revealed that giftees had been remiss in transfer and those assets still belonged to debtor.

Fill in this information to identify your case and this filing:

Debtor 1 Peter Szanto
First Name Middle Name Last Name

Debtor 2
 (Spouse, if filing)
First Name Middle Name Last Name

United States Bankruptcy Court for the: District of Oregon

Case number 3:16-bk-33185 pcm11

☒ Check if this is an amended filing

Official Form 106A/B

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
- ☒ Yes. Where is the property?

1.1. 11 Shore Pine Drive
Street address, if available, or other description

Newport Beach CA 92657
City State ZIP Code

Orange County
County

What is the property? Check all that apply.

- ☐ Single-family home
- ☐ Duplex or multi-unit building
- ☒ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other _____

Who has an interest in the property? Check one.

- ☒ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: Assessors # 935-90-058

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? \$ 2,000,000.00

Current value of the portion you own? \$ 2,000,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

fee simple absolute

☐ Check if this is community property (see instructions)

If you own or have more than one, list here:

1.2. 416 NW 13th Avenue
Street address, if available, or other description

Portland OR 97209
City State ZIP Code

Multnomah County
County

What is the property? Check all that apply.

- ☐ Single-family home
- ☐ Duplex or multi-unit building
- ☒ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other _____

Who has an interest in the property? Check one.

- ☒ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? \$ 650,000.00

Current value of the portion you own? \$ 650,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

equitable owner

☐ Check if this is community property (see instructions)

1.3.

Street address, if available, or other description

City State ZIP Code

County

What is the property? Check all that apply.

- ☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$ _____

Current value of the portion you own?

\$ _____

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

☐ **Check if this is community property** (see instructions)

2. **Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.** →

\$ 2,650,000.00

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. **Cars, vans, trucks, tractors, sport utility vehicles, motorcycles**

- ☐ No
☒ Yes

3.1. Make: Chrysler
 Model: PT Cruiser
 Year: 2001
 Approximate mileage: 73000
 Other information:

currently non-operational

Who has an interest in the property? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ **Check if this is community property** (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$ 1,500.00

Current value of the portion you own?

\$ 1,500.00

If you own or have more than one, describe here:

3.2. Make: Mercedes
 Model: 450 GL
 Year: 2007
 Approximate mileage: 120000
 Other information:

currently non-operational

Who has an interest in the property? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ **Check if this is community property** (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$ 5,000.00

Current value of the portion you own?

\$ 5,000.00

3.3. Make: VW
 Model: Tiguan
 Year: 2012
 Approximate mileage: 33000
 Other information:

Who has an interest in the property? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$ 20,000.00 \$ 20,000.00

3.4. Make: Isuzu
 Model: Trooper
 Year: 1997
 Approximate mileage: 135000
 Other information:

 Used by debtor's son.

Who has an interest in the property? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$ 2,000.00 \$ 2,000.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No
☐ Yes

4.1. Make: _____
 Model: _____
 Year: _____
 Other information:

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$ _____ \$ _____

If you own or have more than one, list here:

4.2. Make: _____
 Model: _____
 Year: _____
 Other information:

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$ _____ \$ _____

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here →

\$ 28,500.00

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?

Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No☒ Yes. Describe..... Appliances, furniture, misc. decorations, soft goods, asst. kitchen para., etc

\$ 45,000.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No☒ Yes. Describe..... televisions, computers, printers, fax, scanner, ipod, cell phones, camera, etc

\$ 10,000.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☐ No☒ Yes. Describe..... Various sculptures, paintings, mobiles etc

\$ 60,000.00

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No☒ Yes. Describe..... kayak, bicycle, golf clubs, baseball+football equipment, carpentry tools

\$ 1,500.00

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☐ No☒ Yes. Describe..... Ruger, double action, 45 automatic pistol + ammunition

\$ 1,500.00

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No☒ Yes. Describe..... Misc. man's clothing, winterwear, hats, shoes

\$ 2,500.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No☒ Yes. Describe..... rings, watches, bracelets

\$ 12,000.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☒ No☐ Yes. Describe.....

\$

14. Any other personal and household items you did not already list, including any health aids you did not list

☒ No☐ Yes. Give specific information.

\$

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$ 132,500.00

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?

Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☐ No☒ Yes Cash: \$ 7,500.00

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No☒ Yes

Institution name:

17.1. Checking account:	<u>Union Bank debtor in possession accounts</u>	\$ 13,000.00
17.2. Checking account:	<u>HSBC BANK</u>	\$ 1.00
17.3. Savings account:	_____	\$ _____
17.4. Savings account:	<u>HSBC BANK</u>	\$ 249,000.00
17.5. Certificates of deposit:	_____	\$ _____
17.6. Other financial account:	<u>E*Tarde Finan'!- included in stock positions see #18</u>	\$ _____
17.7. Other financial account:	<u>because variable amount depending on trading and</u>	\$ _____
17.8. Other financial account:	<u>stock settlement activity. Includes foreign currency</u>	\$ _____
17.9. Other financial account:	<u>trading account at HSBC.</u>	\$ _____

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☐ No☒ Yes

Institution or issuer name:

<u>E*Trade Financial, variable amount based on trading and performance</u>	\$ 1,380,005.00
<u>HSBC BANK - the savings account described above</u>	\$ _____
<u>Wells Fargo Shareholder Services (see attachment Note A)</u>	\$ 2,000.00

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☐ No☒ Yes. Give specific information about them.....

Name of entity:

Peter Szanto Co., aka Szanto Co.

% of ownership:

100% %

\$ 0.00

reputation / goodwill / office supplies may be makerketable0% %

\$ _____

0% %

\$ _____

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them.....

Issuer name:

\$ _____

\$ _____

\$ _____

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☐ No

☒ Yes. List each

account separately.

Type of account:

Institution name:

401(k) or similar plan:

E*Trade Financial

\$ 48,000.00

Pension plan:

\$ _____

IRA:

E*Trade Financial

\$ 21,000.00

Retirement account:

\$ _____

Keogh:

\$ _____

Additional account:

\$ _____

Additional account:

\$ _____

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

☐ Yes.....

Institution name or individual:

Electric:

\$ _____

Gas:

\$ _____

Heating oil:

\$ _____

Security deposit on rental unit:

\$ _____

Prepaid rent:

\$ _____

Telephone:

\$ _____

Water:

\$ _____

Rented furniture:

\$ _____

Other:

\$ _____

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes.....

Issuer name and description:

\$ _____

\$ _____

\$ _____

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowners, or renters insurance

☐ No

☒ Yes. Name the insurance company of each policy and list its value. ...

Company name:

Beneficiary:

Surrender or refund value:

Term Life Insurance - Susan Szanto
at Protective Life face value \$1million

Peter Szanto

\$ 0.00

\$

\$

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

Unl i qui dat ed.

☐ No

☒ Yes. Give specific information.....

Szanto family trusts - currently being withheld from debtor

\$ 3,700,000.00

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

☐ Yes. Describe each claim.

\$

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights

to set off claims Aut ocr af t aut ompt i ve apr x. \$15, 000, O Connel l L+M apr x \$30000

☐ No

☒ Yes. Describe each claim.

Miles (apr x. \$20000), Briones (apr x \$20000), HOA (apr x \$25000)

\$ 110,000.00

35. Any financial assets you did not already list
☐ No

☒ Yes. Give specific information.....

Susan Szanto accounts where debtor may be named beneficiary

\$ 10,000.00

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached

for Part 4. Write that number here ➔

\$ 5,861,506.00

37. Do you own or have any legal or equitable interest in any business-related property?
☐ No. Go to Part 6.

☒ Yes. Go to line 38.

**Current value of the
portion you own?**

Do not deduct secured claims
or exemptions.

38. Accounts receivable or commissions you already earned
☒ No

☐ Yes. Describe.....

\$

39. Office equipment, furnishings, and supplies

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

☐ No

☒ Yes. Describe.....

jeweler's bench / chair, various polishing machines, struts, filters

\$ 2,750.00

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade☐ No☒ Yes. Describe..... jeweler/watchmaker/equine-health tools / various supplies \$ 7,700.00**41. Inventory**☐ No☒ Yes. Describe..... jewelry, watches, loose precious stones \$ 59,920.00**42. Interests in partnerships or joint ventures**☒ No

☐ Yes. Describe..... Name of entity: % of ownership:

_____	_____ %	\$ _____
_____	_____ %	\$ _____
_____	_____ %	\$ _____

43. Customer lists, mailing lists, or other compilations☒ No☐ Yes. Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?☐ No☐ Yes. Describe..... \$ _____**44. Any business-related property you did not already list**☐ No

☒ Yes. Give specific information

1) various books, manuals, catalogs, circulars, display items all relating to watches, jewelry and precious stones	\$ 20,000.00
2) Educational materials as to fabrication of equine footwear and manuals and books related to equine health and development	\$ 1,200.00
3) Real Estate books, manuals, course materials in prep. for licensure as OR managing broker	\$ 1,650.00

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here

\$ 93,220.00

If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?☒ No. Go to Part 7.☐ Yes. Go to line 47.**Current value of the portion you own?**

Do not deduct secured claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

☒ No☐ Yes..... \$ _____

48. Crops—either growing or harvested

☒ No
☐ Yes. Give specific information. \$

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade

☐ No
☒ Yes Farrier tools, files, clippers, aprons, britches, kneel stand \$ 1,500.00

50. Farm and fishing supplies, chemicals, and feed

☒ No
☐ Yes \$

51. Any farm- and commercial fishing-related property you did not already list

☐ No
☒ Yes. Give specific information. Farrier supplies, horseshoe blanks, horseshoe molds, nails, pins, clips, etc \$ 850.00

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have attached for Part 6. Write that number here \$ 2,350.00

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☐ No
☒ Yes. Give specific information. Research data, drawings and study materials in support of potential patent for proprietary equine footwear. Manuscript and photos for book being written by debtor. \$ 0.00

54. Add the dollar value of all of your entries from Part 7. Write that number here \$ 0.00

55. Part 1: Total real estate, line 2 \$ 2,650,000.00

56. Part 2: Total vehicles, line 5 \$ 28,500.00

57. Part 3: Total personal and household items, line 15 \$ 132,500.00

58. Part 4: Total financial assets, line 36 \$ 5,861,506.00

59. Part 5: Total business-related property, line 45 \$ 93,220.00

60. Part 6: Total farm- and fishing-related property, line 52 \$ 2,350.00

61. Part 7: Total other property not listed, line 54 + \$ 0.00

62. Total personal property. Add lines 56 through 61. \$ 6,118,076.00 Copy personal property total + \$ 6,118,076.00

63. Total of all property on Schedule A/B. Add line 55 + line 62. \$ 8,768,076.00

ATTACHMENT

A. Assets at Wells-Fargo were gifted to Jakkob Szanto and Randee Szanto in 2014. Since that time Debtor did not participate in any way in those assets. IRS subpoena revealed that giftees had been remiss in transfer and those assets still belonged to debtor.

1
2 **PROOF OF SERVICE**
3

4 **My name is Jakkob Szanto, I am over 20 years of age and not a**
5 **party to the with action. My business address is PO Box 4614, Portland**
6 **OR 97208. On the date indicated below, I personally served the within:**

7 **Application for Immunity from Service on Department of Justice by**
8 **expedited e-mail:**

9 electronically to Boris.Kukso@usdoj.gov

10
11 **and** on these others, in the manner indicated:

- 12 a. Internal Revenue Service, PO Box 7346, Philadelphia PA 19101
13 b. First Service Residential, 15241 Laguna Canyon Rd, Irvine CA 92618
14 c. JPMorgan Chase Bank, represented by:
15 Cara Richter c/o Shapiro & Sutherland
16 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
17 d. Bank of America, c/o McCarthy & Holthus
18 920 SW 3rd Av., Portland OR 97204
19 e. Oregon Department of Revenue, 955 Center St., Salem OR 97301
20 f. US Trustee (Portland Office) *via* electronic mail to:
21 ustpreion18.pl.ecf@usdoj.gov

22 **by mailing copies to the above parties *via* 1st class mail, postage**
23 **prepaid, or by e-mail.**

24 **I declare under penalty of perjury under the laws of the United States**
25 **that the foregoing is true and correct. Signed at Madras OR.**

26 **Dated 9-5-17 _____ Jakkob Szanto**

27
28 16-bk-33185

Immunity Against Service of Process ó pg. 1

1
2 **PROOF OF SERVICE**
3

4 **My name is Jakkob Szanto, I am over 20 years of age and not a**
5 **party to the with action. My business address is PO Box 4614, Portland**
6 **OR 97208. On the date indicated below, I personally served the within:**

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22 **by mailing copies to the above parties *via* 1st class mail, postage**
23 **prepaid, or by e-mail.**

24 **I declare under penalty of perjury under the laws of the United States**
25 **that the foregoing is true and correct. Signed at Madras OR.**

26 **Dated 9-5-17 _____ Jakkob Szanto**

27 16-bk-33185

28 Immunity Against Service of Process 6 pg. 1

PETER SZANTO 503-610-0865
P.O. Box 4614
Portland OR 97208

United States Bankruptcy Court

in and for the District of OREGON

1001 SW 5th Av., Portland OR 97204

In Re Peter Szanto, Debtor

16 –bk-33185 pcm11

**Reply to JPMorgan Chase
Bank's Response**

Hearing Sep. 14 - 2107

Hon. Judge Peter C. McKittrick, presiding

Pursuant to LR 9013-1(c)(2) debtor now timely replies to
JPMorgan Chase's (JPM) response (DE 154).

1. No Excusable Neglect / No Relation Back

Counsel for JPM commence their most recent diatribe against
debtor by plugging-in, yet again, to their entitlement to interpret the
law however they please.

16-bk-33185

Reply 6 pg. 1

1
2 For reasons unknown, JPM claims excusable neglect for
3 failure to file a timely claim.
4

5 However, JPM has failed to articulate what was excusable as
6 to their neglect. It is as though, JPM believes that mere utterance of magic
7 words provides absolution.
8

9 There are various standards for neglect and they need be
10 articulated so as to obtain relief. *Pioneer Inv. Services v. Brunswick Assoc.*
11 (1993) 507 US 380.
12

13 By failing to substantiate any basis for relief, JPM is not
14 entitled to relief for their purposeful neglect.
15

16
17 **a. No Relation Back**

18 The relation back principle in Bankruptcy requires an original
19 timely claim to which amendment by relation back is allowed. *In re Smith*
20 (2015) 524 BR 125. JPM filed no timely claim herein to which anything can
21 relate back.
22

23 Debtor received no documents from JPM as alleged in (Doc154
24 last sentence, p.1) that is irrelevant in any event, because relation back
25

26 16-bk-33185 Reply ó pg. 2
27
28

back requires actual filing of the documents to which appending is sought.

2. The Litany of Debtor's Misdeeds

Rather than address any positive resolution to what has been a long and bitter battle between debtor and JPM, JPM would rather invent a make-believe past wherein halos and gold surround all of JPM's counsel but pariah debtor is covered in stinking filth.

a. Most Recent Statement of Indebtedness with Which Debtor Agrees

[EXHIBIT A] is the statement of indebtedness debtor first received from JPM during the course of this Bankruptcy in 2016. Debtor is prepared to pay upon that debt immediately at the rate of \$5,667.42 per month, as JPM has demanded.

The [EXHIBIT A] statement is not a modification, but rather an arms-length agreement arrived at between the parties after many many long years of negotiation.

1
2 The principle, terms and repayment amount were all arrived at
3 by JPM and debtor's negotiations. Debtor is ready, willing and able to pay
4 the amount on the terms agreed and set down in writing by the parties.
5

6
7 **3. Debtor Has Always Been Ready Willing**
8 **and Able to Pay, But His Payments Have Been**
9 **Rejected by JPM**
10

11 Throughout his dispute with JPM, debtor has consistently
12 offered tender of payments, but many of those payments have been
13 rejected by JPM's counsel. [EXHIBITS B, C]. These are merely two
14 examples of many JPM rejections to create even further rancor.
15

16 Regardless, of interpretation, it is not debtor who has failed to
17 mitigate the dispute. At every step, debtor has sought to pay, but has been
18 thwarted in his many efforts by JPM.
19

20 Debtor's position has always been that of the very pragmatic
21 mortgagor: all problems and disputes are capable of resolution. To that
22 end, debtor has achieved compromise after compromise with JPM, but
23 has seen those many compromises dashed-to-dust by counsel seeking to
24 perpetuate what is a minor dispute, but a treasure trove of legal fees!!
25

26 16-bk-33185

Reply ó pg. 4

4. Prejudice to Debtor

Chase's response at page 7, last sentence prior to the header
%H ARGUMENT+, contends that JPM's lateness is of no prejudice to
debtor.

This conclusory statement provides no reasoning as to why
JPM should not be held accountable for its %delay in filing.+Nor is there
any explanation why deadlines applicable in other Bankruptcies should
not apply to JPM.

As a matter of fact, what is prejudicial to debtor as to JPM's
late filing is the very high possibility that JPM will again be exonerated
from following and complying with deadlines without any good cause.

More importantly, in this Bankruptcy JPM is represented by
two law firms, Mr. Kono and Ms Richter, neither of whom can be bothered
with responding to debtor's efforts to achieve a compromise which will
preserve judicial resources.

The prejudice, if JPM is exonerated from its lateness, is
demonstration that JPM can thwart the rules with impunity . and
essentially . thumb-its-nose at all efforts finally to resolve this dispute.

16-bk-33185

Reply ó pg. 5

1
2 Further demonstration of prejudice is the possibility that having
3 proffered the compromise which is [EXHIBIT A] which debtor accepts,
4 JPM will now remove that compromise and attempt to raise the amount it
5 is willing to accept.
6

7
8 **5. Declaration to Support JPM is Defective**

9
10 During the course of litigation with JPM, debtor has received
11 many declarations from JPM. The instant declaration of Theresa
12 Rundquist is as defective as all of the past other declarations received by
13 debtor.
14

15 First, there is no averment of any truthful competency to
16 testify. Rundquist's statement of %competent to testify to the factual matters
17 set forth in this Declaration+is wholly conclusory.
18

19 That is, Rundquist avers no employment at JPM. Rundquist
20 does not explain whether her ability to access debtor's records is lawful or
21 done merely to obtain a fee for signing a document.
22

23 Thereafter, Rundquist makes averments of which she could
24 not have knowledge at ¶ 3, 2nd sentence: that Chase's records are made
25 at or the near the time of the events and are recorded by individuals with
26

1
2 personal knowledge of the events and acts, were created or collected as
3 part of Chase's regular practices, and were kept by Chase in the course of
4 its regularly conducted business activities.+No averment is made as to
5 why an %authorized signer+would know the matters asserted.

6
7 In short, the representation is merely that somebody other
8 than the declarant kept records.

9
10 Thereafter, Rundquist improperly avers regarding a claim
11 signed by someone other than her.

12
13 Again, the representation is merely that somebody other than
14 the declarant did something.

15
16 Rundquist's proffered declaration is merely evidence that JPM
17 is not shy about submitting incompetent declarations to support facts
18 which it cannot truthfully prove.

19 **6. Additional Testimony of Counsel**
20 **Reviving Matters Which Have Passed**

21
22 Unsatisfied with the incompetent testimony of its %Authorized
23 Signer,+ JPM submits further incompetent testimony through its Portland
24 counsel Mr. Cunningham.

25 16-bk-33185 Reply ó pg. 7
26
27
28

1
2 Mr. Cunningham, for reasons unknown seeks to revisit
3 debtors' 2013 Nevada Bankruptcy.

4
5 Whereby Mr. Cunningham attempts to mislead this Honorable
6 Court by intentionally failing to submit all the documents which encompass
7 that past Bankruptcy.

8 What is left un-submitted is the entire record of the hearing
9 and all of Peter Szanto's opposition papers. Factually, Mr. Cunningham
10 merely seeks to paint a picture which reflects neither the facts nor the
11 truth. Significantly, Mr. Cunningham never explains any relevance to the
12 previous Bankruptcy's introduction for any purpose in the present case.

13 To repeat what debtor has stated every time previously when
14 Mr. Cunningham was motivated to testify about facts he wished to
15 message to conform to his arguments: **The arguments and statements**
16 **of counsel are not evidence and do not create issues of material fact**
17 **capable of defeating an otherwise valid application.** *Barcamerica Int'l*
18 *USA Trust v. Tyfield Imps., Inc.*, (2002 - 9th Cir.) 289 F.3d 589, 593
19 *accord Smith v. Mack Trucks*, (9th Cir. 1974) 505 F.2d 1248, 1249.

20
21 **7. Declaration of Peter Szanto**

- 22
23 1. My name is Peter Szanto, I am the debtor.
24 2. This is my truthful declaration to which I will testify in Court.
25 3. I have received no statements from JPM in regard of my loan.

26 16-bk-33185

Reply 6 pg. 8

- 1
- 2 4. I have, however, received yearly summaries of the status of my loan.
- 3 5. I have never met nor spoken with Theresa Rundquist and I do not
- 4 know who she is.
- 5 6. I have never authorized Theresa Rundquist to access my loan
- 6 records at JPM
- 7 7. Mr. Cunningham's representations fail, because he has not
- 8 proffered all of the documents related to my Nevada Bankruptcy.
- 9 8. Mr. Cunningham thereby attempts to paint a distorted view of the
- 10 events from four years ago, which are not relevant to the present
- 11 dispute, wherein I am ready willing and able to pay JPM upon
- 12 the terms which they have demanded in [EXHIBIT A].

13

14 I declare under penalty of perjury under the laws of the

15 United States that the foregoing is true and correct. Signed at Portland

16 Oregon.

17 Dated 9-6-17 _____/s/___ Peter Szanto

18

19

20 **8. Conclusion**

21

22 There seems to be very little logic to JPM's opposition! There

23 is no valid explanation for lateness. There are then two incompetent

24 declarations . one from a person who represents no legal ability to access

25 debtors' loan records . and . second from counsel who seeks to testify

26 16-bk-33185

Reply 6 pg. 9

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1
2 to facts from a long ago proceeding, wherein he has purposefully deprived
3 this Court of relevant documents.
4

5 None of these things sustain JPM's positions in any manner.
6

7 Respectfully,
8

9 DATED Sept 6, 2017 _____ Peter Szanto
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26 16-bk-33185 Reply ó pg. 10
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1
2 **PROOF OF SERVICE**
3

4 **My name is Jakkob Szanto, I am over 20 years of age and not a**
5 **party to the with action. My business address is PO Box 4614, Portland**
6 **OR 97208. On the date indicated below, I personally served the within:**

7 Reply

8 on these others, in the manner indicated:

- 9 a. Internal Revenue Service, PO Box 7346, Philadelphia PA 19101
10 b. First Service Residential, 15241 Laguna Canyon Rd, Irvine CA 92618
11 c. JPMorgan Chase Bank, represented by:
Cara Richter c/o Shapiro & Sutherland
1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683
12 d. Bank of America, c/o McCarthy & Holthus
920 SW 3rd Av., Portland OR 97204
13 e. Oregon Department of Revenue, 955 Center St., Salem OR 97301
14 f. US Trustee (Portland Office) *via* electronic mail to:
ustpreion18.pl.ecf@usdoj.gov
15

16 **by mailing copies to the above parties *via* 1st class mail, postage**
17 **prepaid, or by e-mail.**

18 **I declare under penalty of perjury under the laws of the United States**
19 **that the foregoing is true and correct. Signed at Madras OR.**

20
21 **Dated 9-6-17 _____ Jakkob Szanto**
22
23
24
25

26 16-bk-33185

Reply 6 pg. 11



PO Box 183232
Columbus, OH 43218-3232



01009 ARM Z 29216 C -
PETER SZANTO
11 SHORE PINE
NEWPORT COAST CA 92657-1544

Chase
1-800-848-9136
1-800-582-0542 TTY

If you are represented by an attorney, please refer this letter to your attorney and provide us with the attorney's name, address, and telephone number.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation.



10/17/16

Dear PETER SZANTO

Loan Number XXXXXX6332

Changes to Your Mortgage Payment on 12/01/16.

Under the terms of your Adjustable-Rate Mortgage, you had a period during which your interest rate stayed the same. That period ended and your interest rate may change every 1 month(s) for the rest of your loan term.

	Current Rate and Monthly Payment	New Payment Rate and Monthly Payment
Interest Rate	3.07300%	3.07300%
Principal	\$1,615.36	\$1,767.38
Interest	\$2,284.44	\$2,280.30
Escrow (Taxes and Insurance)	\$1,619.74	\$1,619.74 (Estimate)
Other Amount(s)	\$0.00	\$0.00
Subsidy	\$0.00	\$0.00
Total Monthly Payment	\$5,519.54	\$5,667.42 (due 12/01/16)

Interest Rate: We calculate your interest rate by taking a published index rate and adding a certain number of percentage points, called the margin. Under your loan agreement, your index rate is the MONTHLY AVERAGE OF 1 YEAR US TREASURY SECURITIES and your margin is 2.55000%. The MONTHLY AVERAGE OF 1 YEAR US TREASURY SECURITIES is published every 1 month(s) in the following source: WWW.FEDERALRESERVE.GOV.

The interest rate that your payment is based on used the index value of 0.52300% published on 09/06/16.

The index rate is determined by taking the average of the last 12 index values.

Interest Rate and New Monthly Payment: The table above shows the amounts of your interest rate, new monthly payment, and loan balance based on the assumption that all loan payments are current at the time of adjustment. Your new payment is based on the MONTHLY AVERAGE OF 1 YEAR US TREASURY SECURITIES index, your margin, your loan balance of \$890,454.24, and your remaining loan term of 324 months.

Next Scheduled Loan Changes: Your next scheduled payment review date is 10/17/17. Any new payment amount will

06/0200/PI

000001 GN01DT 161018 Page 1 of 1 01009

be due for the first time on 12/01/17. The interest rate on your mortgage loan is scheduled for adjustment monthly.

Since your last adjustment notice, the interest rate on your mortgage loan has been adjusted on the following dates:

REFLECTED IN PAYMENT DUE ON	INTEREST RATE	INDEX RATE USED
11/01/16	3.07300%	0.52300%
10/01/16	3.05700%	0.50700%
09/01/16	3.03900%	0.48900%
08/01/16	3.01700%	0.46700%
07/01/16	2.98800%	0.43800%
06/01/16	2.96000%	0.41000%
05/01/16	2.92600%	0.37600%
04/01/16	2.90000%	0.35000%
03/01/16	2.87200%	0.32200%
02/01/16	2.83500%	0.28500%
01/01/16	2.80600%	0.25600%
12/01/15	2.79300%	0.24300%

We appreciate your business. If you have any questions, please contact one of our Customer Service Professionals at one of the telephone numbers listed below.

Sincerely,

Chase
1-800-848-9136
1-800-582-0542 TTY
www.chase.com

Exclusive and separate address for Qualified Written Requests, Notices of Error, and Information Requests:

Chase
P.O. Box 183166
Columbus, OH 43218-3166

SMITH LARSEN & WIXOM

A T T O R N E Y S

JAY EARL SMITH (1953-2012)
KENT F. LARSEN
MICHAEL B. WIXOM
STEWART C. FITTS

SUZANNE R. FITTS
JOSEPH T. PRETE
KATIE M. WEBER
JORDAN J. BUTLER
CHET A. GLOVER

PAUL M. HAIRE
OF COUNSEL

HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134

TEL (702) 252-5002
FAX (702) 252-5006

www.slwlawfirm.com

February 24, 2014

VIA FEDERAL EXPRESS TRACKING NO. 802905377022

Peter Szanto
3870 S. Carson Street
Carson City, NV 89701

Re: xxxx6332

Dear Mr. Szanto:

As you know, from our phone conversation on Thursday, February 20, 2014, JPMorgan Chase Bank, N.A. has retained this law office to represent it in certain matters related to the bankruptcy action styled as *In re Peter Szanto*, Case No. 13-bk-51261-btb, United States Bankruptcy Court, District of Nevada.

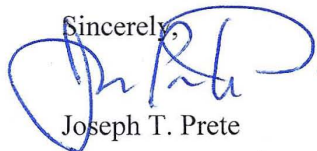
Chase is in receipt of the enclosed check (Check number 119) in the amount of Five Thousand Three Hundred Seventy-Six Dollars and 68/100 Cents (\$5,376.68) which appears to relate to your loan with Chase, account no. xxxx6332.

It appears that the check was submitted in furtherance of an order (document number 149) -- which purports to change the terms of the subject loan -- that was entered in the above-referenced bankruptcy action on January 8, 2014. (A copy of the January 8, 2014 order is enclosed.)

It is Chase's position that Chase never agreed to modify the subject loan, the loan remains in default status, and that the Order was wrongfully entered. Indeed Chase is in the process of filing a motion with the Bankruptcy Court seeking to set aside the Order.

In light of the foregoing, and at the request of Chase, I am returning the check to you.

Sincerely,



Joseph T. Prete

JTP/dph
Encls.

for

SMITH LARSEN & WIXOM

A T T O R N E Y S

JAY EARL SMITH (1953-2012)
KENT F. LARSEN
MICHAEL B. WIXOM

SUZANNE R. FITTS
JOSEPH T. PRETE
KATIE M. WEBER
JORDAN J. BUTLER
CHET A. GLOVER

PAUL M. HAIRE
OF COUNSEL

HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134

TEL (702) 252-5002
FAX (702) 252-5006

www.slwlawfirm.com

April 9, 2014

VIA USPS EXPRESS MAIL TRACKING NO. EQ228618655

Peter Szanto
11 Shore Pine Drive
Newport Beach, CA 92657

Re: xxxx6332

Dear Mr. Szanto:

As you know, JPMorgan Chase Bank, N.A. has retained this law office to represent it in certain matters related to the bankruptcy action styled as *In re Peter Szanto*, Case No. 13-bk-51261-btb, United States Bankruptcy Court, District of Nevada.

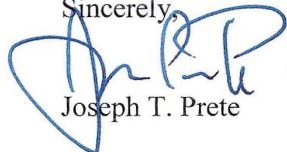
Chase is in receipt of the enclosed check (Check number 120) in the amount of Five Thousand Three Hundred Seventy-Six Dollars and 68/100 Cents (\$5,376.68) which appears to relate to your loan with Chase, account no. xxxx6332.

It appears that the check was submitted in furtherance of an order (document number 149) -- which purports to change the terms of the subject loan -- that was entered in the above-referenced bankruptcy action on January 8, 2014.

As set forth in its motion to set aside the January 8 order, which was filed and served on you on March 14, 2014, it is Chase's position that Chase never agreed to modify the subject loan, the loan remains in default status, and that the Order was wrongfully entered.

In light of the foregoing, and at the request of Chase, I am returning the check to you.

Sincerely,



Joseph T. Prete

JTP/dph
Encls.

Exhibit 2

From: McClurg, Carla (USTP)
To: s.anto.pete@gmail.com
Subject: Notice of Special Meeting of Creditors 10/17/17 at 10:00a.m.
Date: Tuesday, September 12, 2017 10:54:00 AM
Attachments: [S.anto_Notice of Special Meeting of Creditors.pdf](#)
Importance: High

Dear Mr. Szanto,

Attached is a Notice of Special Meeting of Creditors that I just filed with the court. The United States Trustee is calling a special meeting of creditors pursuant to Bankruptcy Rule 2003(f) on **October 17, 2017 at 10:00 a.m.** You must appear and be examined under oath.

The United States Trustee is scheduling the special meeting of creditors in order to examine you regarding your assets and liabilities as of the petition date and your post-petition financial activity. From the amended Schedule A/B that you unsuccessfully attempted to file with the court and emailed to me, it appears that you failed to disclose significant assets, including bank accounts. We also have concerns from reviewing your post-petition monthly operating reports that you may have activity in E-trade accounts that is not being appropriately reported.

Please promptly file with the court all appropriate amendments to accurately reflect your assets, liabilities, and financial transactions. In addition, we request that you provide the following documents in advance of the special meeting of creditors by **no later than October 10, 2017**:

1. Statements for all stock and investment accounts, including without limitation E-trade, for the period of August 1, 2016 through the date of the most recent statement.
2. Statements for all bank accounts whether held in your name, jointly with another, or in the name of another for your benefit, for the period of August 1, 2016 through the date of the most recent statement. Please note that we want the formal statements issued by your banks. The electronic printouts you provided with your monthly operating reports are not adequate.
3. Check ledgers for all accounts described in paragraph 2 above, if maintained.
4. Proof of opening the HSBC account referenced in your motion filed on July 25, 2017, Docket No. 137, and all statements issued after that date.

Thank you for your anticipated cooperation.

Carla Gowen McClurg
Trial Attorney
U.S. Department of Justice
Office of the United States Trustee
620 SW Main Street, Suite 213
Portland, OR 97205
(503) 326-7659

This message and any attachments are intended only for addressee and may contain information that

is privileged, "Limited Official Use," or "Sensitive But Unclassified." If the reader of the message is not the intended recipient, then any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to this e-mail message or by telephone at the number above, and delete the message and any attachments from your system. Thank you.

Carla Gowen McClurg, OSB #165144
Trial Attorney
U.S. Department of Justice
Office of the United States Trustee
620 SW Main Street, Room 213
Portland, OR 97205
Tel: (503) 326-7659
Email: carla.mcclurg@usdoj.gov

Attorney for Gail Brehm Geiger, Acting United States Trustee for Region 18

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON**

In re

Peter Szanto,

Debtor.

Case No. 16-33185-pcm11

**NOTICE OF SPECIAL MEETING OF
CREDITORS**

YOU ARE NOTIFIED THAT, pursuant to Federal Rule of Bankruptcy Procedure 2003(f), the Acting United States Trustee for Region 18 Gail Brehm Geiger, is calling a special meeting of creditors in the above-referenced case at the following date, time, and location:

DATE: **October 17, 2017**
TIME: **10:00 a.m.**
PLACE: **Office of the United States Trustee**
 620 SW Main Street, Room 223
 Portland, OR 97205

The debtor must appear at the special meeting of creditors and submit to an examination under oath.

DATED this 12th day of September, 2017.

GAIL BREHM GEIGER
Acting United States Trustee for Region 18

/s/ Carla Gowen McClurg
CARLA GOWEN McCLURG, OSB #165144
Trial Attorney

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2017, I served a copy of the foregoing **NOTICE OF SPECIAL MEETING OF CREDITORS** by mailing a copy of this document, by United States first class mail, postage prepaid, addressed to the following:

Bank of America
POB 650225
Dallas TX 75265-0225
Bank of America, N.A.
P.O. Box 31785
Tampa, FL 33631-3785

TIMOTHY CUNNINGHAM
Davis Wright Tremaine LLP
1300 SW 5th Ave #2400
Portland, OR 97201-5682

First Service Residential
15241 Laguna Canyon Rd
Irvine, CA 92618-3146

IRS
PO Box 7346
Philadelphia PA 19101-7346

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY
OPERATIONS
PO BOX 7346
PHILADELPHIA , PA 19101-7346

JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

JPMorgan Chase Bank
3415 Vision Drive
Columbus OH 43219-6009

JPMorgan Chase Bank, NA
Chase Records Center
Attn: Correspondence Mail
Mail Code LA4-5555
700 Kansas Lane
Monroe, LA 71203

KEVIN H KONO
1300 SW 5th Ave #2300
Portland, OR 97201-5630

BORIS KUKSO
DOJ-Tax
PO Box 683
Ben Franklin Station
Washington, DC 20044-0683

Newport Coast Community Assn
c/o First Service Residential Inc
15241 Laguna Canyon Rd
Irvine CA 92618-3146

ODR Bkcy
955 Center St NE
Salem, OR 97301-2555

CASEY C PENCE
9545 N Kellogg St
First Floor
Portland, OR 97203

CARA J RICHTER
1499 SE Tech Center Place
Suite 255
Vancouver, WA 98683-5550

MIKE SCOTT
McCarthy & Holthus LLP
920 SW 3rd Ave, 1st Floor
Portland, OR 97204-2419

Santa Lucia Community Assn
c/o FirstService Residential Inc
15241 Laguna Canyon Rd
Irvine CA 92618-3146

Peter Szanto
POB 4614
Portland, OR 97208-4614

I further certify that on September 12, 2017, I emailed a copy of the foregoing document to the debtor at the following email address: szanto.pete@gmail.com.

GAIL BREHM GEIGER
Acting United States Trustee for Region 18

/s/ Carla Gowen McClurg
CARLA GOWEN McCLURG, OSB #165144
Trial Attorney

Exhibit 3

[Close Window](#)



Statement for PETER SZANTO CHAPTER 11 DEBTOR IN POSSESSION

Print [Important Statement Information](#)

Date range: 10/01/16 - 10/31/16

- ▼ [Ready to Go Summary](#)
- ▼ [Deposits](#)
- ▼ [Electronic credits](#)
- ▼ [Checks Paid](#)
- ▼ [Electronic debits](#)
- ▼ [Other debits, fees and adjustments](#)
- ▼ [Daily Ledger Balance](#)

PETER SZANTO
POB 4614
Portland OR 97208

Ready to Go Summary			Account Number: [REDACTED] 2572
Days in statement period: 31			
Balance on 10/1	\$	16,499.05	
Total Credits		9,716.47	
Deposits (1)	8,408.87		
Electronic credits (3)	1,307.60		
Total Debits		-10,798.33	
Checks paid (2)	-8,890.91		
Electronic debits (9)	-1,907.42		
Balance on 10/31	\$	15,417.19	

[back to top](#)

Deposits				
	Date	Description	Reference	Amount
including check and cash credits	10/12	OFFICE DEPOSIT # [REDACTED] 7610	2171215797	\$ <u>8,408.87</u>

[back to top](#)

Electronic credits				
Date	Description	Reference		Amount
10/7	KRAFT HEINZ COMPANY (THE) COMMON STOCK CASH DIV	57841587	\$	480.60
10/12	SSA TREAS 310 XXSOC SEC PPD *****ASSA	59309817		597.00
10/31	SABINE ROYALTY T DIVIDEND PPD *****2179	566R4502		230.00
3 Electronic credits		Total	\$	<u>1,307.60</u>

[back to top](#)

Checks Paid						
Number	Date		Amount	Number	Date	Amount
0218	10/11	\$	7,790.91	0219	10/27	\$ 1,100.00

[back to top](#)

Electronic debits				
Date	Description	Reference		Amount
10/1	HOME DEPOT Warrenton, OR #4023	5323707	\$	452.30
10/1	SOUTHERN CAL GAS E-PAYMENT	58623252		18.25
10/3	PROTECTIVE LIFE INS. PREM. PPD *****9236	55809017		174.00
10/10	S CA EDISON ONLINE PMT WEB UN19124032POS	53124242		24.00
10/12	PROTECTIVE LIFE INS. PREM. PPD *****2126	54891561		81.78
10/13	US COURTS PORTLAN PAYMENT BOC 0314	52789190		643.00
10/19	IRVINE RANCH WTR ONLINE PMT WEB UN1916102032POS	57223723		46.09
10/31	IRS USA TAX PAYMENT WEB 22266252410	57865843		468.00
8 Electronic debits		Total	\$	<u>1,907.42</u>

[back to top](#)

Other debits, fees and adjustments				
Date	Description	Reference		Amount
- - -	- - -	- - -	\$	0.00

[back to top](#)

Checking Daily Ledger Balance

Date		Ledger Balance	Date		Ledger Balance
10/1	\$	16,028.50	10/14-10/19	\$	16,755.19
10/2-10/3		15,854.50	10/20-10/27		15,655.19
10/4-10/7		16,335.10	10/28-10/31		15,417.19
10/8-10/10		16,311.10			
10/11		8,520.19			
10/12		17,444.28			
10/13		16,801.28			

Account Number: [REDACTED] 2580

Money Market Summary

Days in statement period: 30

Balance on 10/1	\$	108,535.39
Total Credits		4,090.44
Interest Deposits (1)	90.44	
Credits (1)	4,000.00	
Total Debits		500.00
Debits(1)	500.00	
Balance on 10/31	\$	112,125.83

[back to top](#)

Money Market Deposits

	Date	Description	Reference	Amount
including check and cash credits	10/20	OFFICE DEPOSIT # [REDACTED] 909Q	77107699	\$ <u>4,000.00</u>

[back to top](#)

Money Market Withdrawals

	Date	Description	Reference	Amount
counter withdrawal	10/20	OFFICE w/d # [REDACTED] 2211	77105459	\$ <u>500.00</u>

[back to top](#)

Money Market Daily Ledger Balance

Date		Ledger Balance	Date		Ledger Balance
10/1	\$	108,535.39	10/31	\$	112,125.83
10/20		112,035.39			

[back to top](#)

Exhibit 4

Statement of Accounts

UNION BANK
SPECIALIZED DEPOSITS 0218
POST OFFICE BOX 513840
LOS ANGELES CA 90051-3840

Page 1 of 2

PETER SZANTO

Statement Number: 572

10/1/16 - 10/31/16

Customer Inquiries
800-669-8661

Thank you for banking with us
since 2005

CY30 08 0000

PETER SZANTO
POB 14894
IRVINE CA 92623

Ready to Go Summary

Account Number: 572

Days in statement period: 31

Beginning balance on 10/1	\$	283.76
Total Credits		10,887.23
Electronic credits (6)	10,887.23	
Total Debits		-9,566.14
Checks paid (2)	-8,115.91	
Electronic debits (8)	-1,450.23	
Ending Balance on 10/31	\$	1,604.85

Credits

Electronic credits

Date	Description	Reference	Amount
10/7	UB MONEYMARKET TRANSFER 161007 8286 0134	62813477 \$	7,990.00
10/11	UB MONEYMARKET TRANSFER 161011 8286 0134	62851834	700.00
10/12	SSA TREAS 310 XXSOC SEC PPD *****ASSA	57175770	597.00
10/28	UB MONEYMARKET TRANSFER 161028 8286 0134	63020980	500.00
10/31	UB MONEYMARKET TRANSFER 161031 8286 0134	63053849	1,100.00
10/31	SABINE ROYALTY T DIVIDEND PPD *****2479	56160359	0.23
6 Electronic credits			Total amount \$ 10,887.23

Debits

Checks paid

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
0218	10/11	\$ 7,790.91	0220*	10/27	\$ 325.00			
2 Checks paid						Total amount	\$	8,115.91

* Checks missing in sequence. Out of sequence check numbers may also be located in the Electronic debits section of your statement.

Electronic debits

Date	Description	Reference	Amount
10/3	TARGET DEBIT CRD 011001TARG ET -IR	51304868 \$	20.36
10/3	SO CAL GAS PAID SCGC WEB 0312438231	51140729	2.00
10/5	PROTECTIVE LIFE INS. PREM. PPD *****6946	53933098	174.00
10/7	S CA EDISON ONLINE PMT WEB UN1916102032POS	57639128	15.00
10/12	PROTECTIVE LIFE INS. PREM. PPD *****6946	50306547	81.78
10/13	US COURTS PORTLA PAYMENT BOC 0314	52789190	643.00
10/28	IRVINE RANCH WTR ONLINE PMT WEB UN1916102032POS	57223723	46.09
10/31	IRS USATAXPYMT WEB 222670573392524	57865843	468.00
8 Electronic debits			Total amount \$ 1,450.23

PETER SZANTO
3870 S CARSON ST.
CARSON CITY, NV 89701

18-9 702-8
1220

218

DATE Oct 1 - 2016

PAY TO THE
ORDER OF

Bank of America 133135539 \$ 7790 ⁹¹/₁₀₀
= Seven-thousand + seven-hundred + ninety + ⁹¹/₁₀₀ DOLLARS



UnionBank

Payable at any Union Bank branch
(800) 418-6464
unionbank.com

*** DEBTOR IN POSSESSION ***

FOR

⑆122000496⑆

2572⑈

0218

PostngDate: 20161011

AccountNum [REDACTED] 2572

Serial: 218

Amount: 7,790.91

DIN (Posting Reference # or Seq #): 7505640

PETER SZANTO
3870 S CARSON ST.
CARSON CITY, NV 897

18-49 70218
1220

220

3185

10-1-2016

PAY TO THE
ORDER OF

U.S. TRUSTEE

\$ 325.00 KX

Three hundred + twenty-five

DOLLARS

DEBTOR IN POSSESSION



UnionBank

Payable at any Union Bank branch
(800) 419-6466

FOR

3185

11220004961

25721

0220

PostingDate: 20161027

AccountNum: 2572

Serial: 220

Amount: 325.00

DIN (Posting Reference # or Seq #): 6035312

Daily Ledger Balance

Date	Ledger Balance	Date	Ledger Balance	Date	Ledger Balance
10/1-10/2	\$ 283.76	10/11	\$ 971.49	10/28-10/30	\$ 972.62
10/3-10/4	261.40	10/12	1,486.71	10/31	1,604.85
10/5-10/6	87.40	10/13-10/26	843.71		
10/7-10/10	8,062.40	10/27	518.71		



STATEMENT OF ACCOUNTS

UNION BANK
SPECIALIZED DEPOSITS 0218
POST OFFICE BOX 513840
LOS ANGELES CA 90051-3840

Page 1 of 2
Statement Number [REDACTED] 2580
10/1/16 - 10/31/16

Telephone Banking
For 24-hour Automated Direct Service
800-238-4486
800-826-7345(TDD)
Representatives are available
Monday through Saturday

To open additional accounts,
or apply for loans, call your
banking office at 800-669-8661

You may also access your account online
at unionbank.com

Thank you for banking with us
since 2005

CY30 080000

PETER SZANTO
11 SHORE PINE DR
NEWPORT BEACH CA 92657-2005

SUMMARY OF ACCOUNTS

Below are the accounts designated to qualify towards the waiver of your primary checking account monthly service charge.

Deposit Accounts	Qualifying balance	Beginning balance	Additions	Subtractions	Ending balance
Ready to Go Checking [REDACTED] 2580	\$ 0.02	\$ 0.02	\$ 0.00	\$ 0.00	0.02
Money Market Account [REDACTED] 8286	45,624.97				
Total	\$ 45,624.99	\$ 0.02	\$ 0.00	\$ 0.00	0.02

READY TO GOSM CHECKING SUMMARY

Account Number: [REDACTED] 2580

Days in statement period: 31

Balance on 10/1	\$	0.02
Additions		0.00
Subtractions		0.00
Balance on 10/31	\$	0.02
Statement Average Ledger Balance	\$	0.02

We waived your service charge this statement period.

Your Monthly Account Cost

We have waived your Ready to GoSM Checking account Monthly Service Charge of \$10.00 since you had an average balance of \$1500 or more in the checking account, or maintained at least a \$5000 average monthly combined balance in linked deposit accounts.

The following features are available with your Ready to Go Checking:

- Unlimited Check Writing
- Online Banking
- Mobile Banking
- Text Alerts
- Online Bill Pay
- Unlimited Check Supply
- Debit Card or ATM Card
- Online Statements
- Email Alerts
- Union Bank ATMs
- Paper Statements
- Personal Savings or Money Market Account

Your Account's Cost This Month		
Monthly Service Charge:	\$	10.00
Cost Before Savings:	\$	10.00
COMBINED BALANCE DISCOUNT	\$	- 10.00
Your Cost Savings This Month:	\$	10.00
Your Total Monthly Cost:	\$	0.00

*If you would like the details of the cost for the Ready to Go Checking feature(s) you have selected, please refer to the All About Personal Accounts and Services, Simply Stated Product Guide and Personal Accounts Fee Schedule. For additional details, please visit your local branch or call us at 800-238-4486.



STATEMENT OF ACCOUNTS

UNION BANK
DIRECT BANKING CENTER 0245
PO BOX 513840
LOS ANGELES CA 90051-3840

Page 1 of 1
Statement Number: [REDACTED] 8286
9/24/16 - 10/24/16

Telephone Banking
For 24-hour Automated Direct Service
800-238-4486
800-826-7345(TDD)
Representatives are available
Monday through Saturday

To open additional accounts,
or apply for loans, call your
banking office at 714-985-2105

You may also access your account online
at unionbank.com

Thank you for banking with us
since 2005

CY16Z OA 1030
PETER SZANTO
POB 14894
IRVINE CA 92623

- Use Online Banking Bill Pay system to help you save time and get more control.
Easy setup; it only takes minutes to add payees and start paying your bills securely online.
To learn more, please visit: www.unionbank.com/billpay

MONEYMARKET ACCOUNT SUMMARY

Account Number: [REDACTED] 8286

Days in statement period: 31

Balance on 9/24	\$	52,083.61	Interest		
Additions		3.08	Accrued this period	\$	3.08
Subtractions		-10,390.86	Paid this period	\$	3.08
Payments	-10,390.00		Paid year-to-date	\$	134.90
Other Withdrawals	-0.86		Interest Rates		
Balance on 10/24	\$	41,695.83	9/24/16-10/24/16		0.08 %
Statement Average Ledger Balance	\$	45,624.97	Annual Percentage Yield Earned		0.08 %

We waived your service charge this statement period.

Additions	Date	Description	Reference	Amount
	10/24	INTEREST PAYMENT		\$ 3.08

Payments	Date	Description	Account code	Reference	Amount
online and electronic banking	9/27	UB CHECKING TRANSFER 160927 XXXXXX2580 0131		62717281	\$ 1,200.00
	9/29	CHECKING TRANSFER 160929 XXXXXX2572 0000		62737420	500.00
	10/7	CHECKING TRANSFER 161007 XXXXXX2572 0000		62813477	7,990.00
	10/11	CHECKING TRANSFER 161011 XXXXXX2572 0000		62851834	700.00
Total					\$ 10,390.00

Other Withdrawals	Date	Description	Reference	Amount
including fees and adjustments	10/24	INTEREST WITHHOLDING		\$ 0.86

**HSBC PREMIER SAVINGS**

Statement of Account

Account Number 725-6

October 1, 2016 - December 30, 2016

Page 1 of 1

926571544115

PETER SZANTO 32-00278
11 SHORE PINE DRIVE 11
NEWPORT BEACH CA 92657-1544

Questions?

Call 800-711-8001 or write:

HSBC

P.O. Box 9

Buffalo, New York 14240

SUMMARY OF ACTIVITY FOR THE PERIOD 10/01/16 TO 12/30/16

DATE OF LAST STATEMENT WAS 09/30/16

YOUR BALANCE ON 09/30/16 WAS 327,041.98
THERE WERE WITHDRAWALS AND SUBTRACTIONS .00
THERE WERE DEPOSITS AND OTHER ADDITIONS .00
INTEREST POSTED THIS PERIOD 833.27
YOUR BALANCE ON 12/30/16 327,875.25

INTEREST PAID THIS YEAR 1,950.16

TRANSACTION DETAIL

DATE POSTED	DESCRIPTION OF TRANSACTIONS	WITHDRAWALS AND OTHER SUBTRACTIONS	DEPOSITS AND OTHER ADDITIONS	BALANCE
10/31/16	INTEREST PAID FROM 10/01/16 THROUGH 10/31/16 INCLUSIVE AVERAGE DAILY LEDGER BALANCE \$327,041.98		280.54	327,322.52
11/30/16	INTEREST PAID FROM 11/01/16 THROUGH 11/30/16 INCLUSIVE AVERAGE DAILY LEDGER BALANCE \$327,322.52		271.72	327,594.24
12/30/16	INTEREST PAID FROM 12/01/16 THROUGH 12/31/16 INCLUSIVE AVERAGE DAILY LEDGER BALANCE \$327,594.24		281.01	
12/30/16	\$833.27 INTEREST EARNED FROM 10/01/16 THROUGH 12/31/16 INCLUSIVE INTEREST IS NOT AVAILABLE UNTIL CREDITED TO ACCOUNT AVERAGE DAILY LEDGER BALANCE \$327,325.55 ANNUAL PERCENTAGE YIELD EARNED 01.01 %			327,875.25

Please examine your statement at once. For your convenience, instructions for balancing your account are included.

If you change your address, please notify your branch office of your new address. All deposited items are credited subject to final payment new address.

HSBC-00137

UST Exhibit 4 - Page 8 of 8

Case 1:16-cv-03185-pm Doc 23-1 Filed 11/09/17

HSBC-000137

Exhibit 5

From: Peter Szanto <szanto.pete@gmail.com>
Sent: Tuesday, October 10, 2017 8:30 PM
To: McClurg, Carla (USTP)
Subject: szanto 16-33185
Attachments: cv et 10-9-17.pdf; cv fidelity.pdf; cv McClurg 10-10-17.pdf; cv wells.pdf

please see attached

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Szanto



SEANTO
16-33185

Symbol	Description	Quantity	Last Trade	Change	Bid	Ask
AAL	AMERICAN AIRLS	1	51.3	0.74	51.21	51.3
AAPL	APPLE INC COM	601	155.3	-0.1	155.3	155.4
AAPL Nov 17 '17 \$165 Call	AAPL Nov 17 '17 \$165 Call	5	1.59	-0.2	1.58	1.62
AAPL Jan 19 '18 \$125 Call	AAPL Jan 19 '18 \$125 Call	10	30.76	-0.1	30.65	31
AAPL Jan 19 '18 \$130 Call	AAPL Jan 19 '18 \$130 Call	-10	26.1	-0.2	26	26.35
AAPL Jan 18 '19 \$140 Call	AAPL Jan 18 '19 \$140 Call	-10	26.45	0	25.65	26.5
AAPL Jan 18 '19 \$145 Put	AAPL Jan 18 '19 \$145 Put	10	12.57	0	12.25	12.45
AAPL Jan 18 '19 \$150 Call	AAPL Jan 18 '19 \$150 Call	-10	20.47	-0.2	20.3	20.85
AAPL Jan 18 '19 \$160 Call	AAPL Jan 18 '19 \$160 Call	10	15.95	-0.2	15.95	16
AAPL Jan 18 '19 \$165 Put	AAPL Jan 18 '19 \$165 Put	-4	23	-1.1	22.55	23.05
AAPL Jan 18 '19 \$170 Put	AAPL Jan 18 '19 \$170 Put	-10	25.89	-0.5	25.65	26.25
ABBV	ABBVIE INC COM	200	90.49	0.31	90.2	90.45
ABBV Oct 13 '17 \$90 Call	ABBV Oct 13 '17 \$90 Call	-12	0.94	-0	0.91	1.06
ABBV Oct 27 '17 \$90 Put	ABBV Oct 27 '17 \$90 Put	10	2.94	0	1.97	2.26
ABBV Nov 17 '17 \$90 Call	ABBV Nov 17 '17 \$90 Call	10	2.8	0.15	2.76	2.86
ABBV Jan 18 '19 \$90 Put	ABBV Jan 18 '19 \$90 Put	-2	10.43	-0.1	10.2	10.55
AGR	AVANGRID INC COM	1	47.64	-0.7	43.45	53.2
ALE	ALLETE INC COM NEW	3	78.31	-0.2	42	0
ALL	ALLSTATE CORP COM	1	93.29	0.1	87.05	93.95
AMGN	AMGEN INC COM	100	185.8	-1	183.8	190.1
AMGN Oct 13 '17 \$185 Call	AMGN Oct 13 '17 \$185 Call	-1	2.15	-0.8	1.86	2.42
AMZN Jan 19 '18 \$900 Call	AMZN Jan 19 '18 \$900 Call	-1	109.9	5.19	110.6	112.4
AMZN Mar 16 '18 \$1100 Put	AMZN Mar 16 '18 \$1100 Put	-1	141.5	0	130.6	133.05
AMZN Jan 18 '19 \$800 Call	AMZN Jan 18 '19 \$800 Call	-2	246	16	244	248.5
AMZN Jan 18 '19 \$900 Call	AMZN Jan 18 '19 \$900 Call	2	181	13.4	176	180.5
AMZN Jan 18 '19 \$1000 Call	AMZN Jan 18 '19 \$1000 Call	-1	124	4.55	123	125.2
AMZN Jan 18 '19 \$1100 Put	AMZN Jan 18 '19 \$1100 Put	-2	173	-27	167.8	170.8
AMZN Jun 21 '19 \$1200 Call	AMZN Jun 21 '19 \$1200 Call	-2	76.6	11.8	73	76.3
AMZN Jan 17 '20 \$1100 Put	AMZN Jan 17 '20 \$1100 Put	-1	199.9	-12	197.1	201.35
ANDV	ANDEAVOR COM	1	106	0.63	105.7	106.29
ANDX	ANDEAVOR LOGISTICS LP C	300	49.84	-0.2	49.31	51.88
ANDX Oct 20 '17 \$50 Call	ANDX Oct 20 '17 \$50 Call	-3	0.59	0.04	0.55	0.7
ANDX Dec 15 '17 \$50 Call	ANDX Dec 15 '17 \$50 Call	3	1.4	0	1.2	1.45
ANDX Dec 15 '17 \$52.50 Ca	ANDX Dec 15 '17 \$52.50 Call	3	0.3	0	0.35	0.5
ANDX Dec 15 '17 \$55 Call	ANDX Dec 15 '17 \$55 Call	-3	0.2	0	0.1	0.2
ANDX Mar 16 '18 \$52.50 Ca	ANDX Mar 16 '18 \$52.50 Call	-3	1.44	0	0.95	1.15
ANZBY	AUSTRALIA&NEW ZEALAND	5	22.95	0.1	0	0
APA Jan 18 '19 \$55 Call	APA Jan 18 '19 \$55 Call	2	2.93	0	2.93	3.2
APA Jan 18 '19 \$65 Call	APA Jan 18 '19 \$65 Call	-3	1.35	0	1.25	1.46
APU	AMERIGAS PARTNERS L P U	1	45.16	-0	44.55	46.13
AVP	AVON PRODS INC COM	3	2.29	0.01	2.26	2.31
AXAHY	AXA SA SPONSORED ADR	2	30.48	0.21	0	0
AZN	ASTRAZENECA PLC SPONS	1	34.26	0.03	32.25	34.49
AZN Oct 27 '17 \$32 Put	AZN Oct 27 '17 \$32 Put	10	0.25	0	0	0.1
AZN Oct 20 '17 \$32.50 Put	AZN Oct 20 '17 \$32.50 Put	-10	0.05	0	0	0.1
AZSEY	ALLIANZ SE SP ADR 1/10 SH	1	22.73	0.09	0	0
BA	BOEING CO COM	1	258.6	-0.3	258.4	258.58

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BA Jan 19 '18 \$150 Call	BA Jan 19 '18 \$150 Call	1	86.2	0	106.6	110.4
BA Jan 19 '18 \$200 Call	BA Jan 19 '18 \$200 Call	1	59.32	0.93	58.1	59.6
BA Jan 19 '18 \$210 Call	BA Jan 19 '18 \$210 Call	-3	47.05	0	49.15	50.35
BA Jan 18 '19 \$200 Call	BA Jan 18 '19 \$200 Call	1	64.5	1.05	62.95	64.55
BBRY	BLACKBERRY LTD COM	1	11.07	0.05	11	11.25
BBY	BEST BUY INC COM	1	58.76	1.27	58.76	58.8
BHP	BHP BILLITON LTD SPONSO	100	41.34	0.09	40	42
BHP Oct 20 '17 \$45 Call	BHP Oct 20 '17 \$45 Call	-2	0.03	0	0.02	0.03
BHP Nov 17 '17 \$45 Call	BHP Nov 17 '17 \$45 Call	-1	0.19	-0	0.17	0.22
BHP Feb 16 '18 \$45 Call	BHP Feb 16 '18 \$45 Call	2	1	0.05	1	1.08
BLK	BLACKROCK INC COM	101	463.2	-1.2	440.4	0
BLK Oct 20 '17 \$450 Call	BLK Oct 20 '17 \$450 Call	-1	16	-1.3	15.5	16.7
BLK Oct 20 '17 \$450 Put	BLK Oct 20 '17 \$450 Put	-1	2.87	0.48	2.65	3.1
BLK Jan 19 '18 \$380 Call	BLK Jan 19 '18 \$380 Call	-1	62	0	83.3	86.6
BLK Jan 19 '18 \$410 Call	BLK Jan 19 '18 \$410 Call	1	56.72	5.72	55.8	58.5
BLK Jan 19 '18 \$440 Put	BLK Jan 19 '18 \$440 Put	1	9.8	0.71	8.5	9.8
BPL	BUCKEYE PARTNERS L P U	100	59.24	0.14	57.99	60
BPL Nov 17 '17 \$65 Call	BPL Nov 17 '17 \$65 Call	-3	0.1	0	0	0.1
BPL Nov 17 '17 \$70 Call	BPL Nov 17 '17 \$70 Call	3	0.05	0	0	0.1
BPL Jan 19 '18 \$65 Call	BPL Jan 19 '18 \$65 Call	1	0.26	0	0.2	0.3
BPL Feb 16 '18 \$55 Call	BPL Feb 16 '18 \$55 Call	1	4.8	0.59	4.6	5
BPL Feb 16 '18 \$60 Call	BPL Feb 16 '18 \$60 Call	-2	1.65	0	1.55	1.75
BPL Feb 16 '18 \$65 Call	BPL Feb 16 '18 \$65 Call	2	0.45	0.2	0.3	0.45
BPT	BP PRUDHOE BAY RTY TR U	300	22.5	-0.1	22.15	22.8
BTI	BRITISH AMERN TOB PLC S	210	62.33	0.95	61.5	63.36
BTI1 Jan 18 '19 \$60 Call	BTI Jan 18 '19 \$60 Call	-4	3.3	0	2.3	6.2
BUD	ANHEUSER BUSCH INBEV S	1	121.6	-1	121.4	121.98
BX	BLACKSTONE GROUP L P C	301	33.44	-0.2	33.3	33.44
BX Jan 18 '19 \$32 Call	BX Jan 18 '19 \$32 Call	-3	3.45	-0.1	3.3	3.7
CB	CHUBB LIMITED COM	1	146.2	0.44	139.3	150
CBRL	CRACKER BARREL OLD CTR	100	154	0.01	144.9	167.85
CBRL Oct 20 '17 \$155 Call	CBRL Oct 20 '17 \$155 Call	-1	1	-0.2	0.95	1.1
CBRL Dec 15 '17 \$155 Put	CBRL Dec 15 '17 \$155 Put	-1	6.83	-0.3	6.5	7.6
CC	CHEMOURS CO COM	1	54.67	0.24	54.24	55.02
CCI	CROWN CASTLE INTL CORP	1	101.5	-0.1	101	101.7
CEL	CELLCOM ISRAEL LTD SHS	1	9.34	-0	7	9.87
CL	COLGATE PALMOLIVE CO C	1	72.72	-0.5	71	73
CLX	CLOROX CO DEL COM	1	129.1	0.18	127.9	129.74
CMI	CUMMINS INC COM	1	172.1	0.4	166	175.6
CMI Nov 17 '17 \$145 Call	CMI Nov 17 '17 \$145 Call	-3	19.69	0	27.1	28.1
CMI Jan 18 '19 \$150 Call	CMI Jan 18 '19 \$150 Call	3	29.7	0	29.5	30.5
CSCO	CISCO SYS INC COM	301	33.75	0.16	33.65	33.82
CSCO Oct 27 '17 \$33.50 Ca	CSCO Oct 27 '17 \$33.50 Call	-3	0.54	0.07	0.57	0.61
CVS	CVS HEALTH CORP COM	1	76.92	-4	77	77.1
CVX	CHEVRON CORP NEW COM	1	117	-1.6	116.9	117.04
CVX Jan 19 '18 \$110 Call	CVX Jan 19 '18 \$110 Call	-4	8.26	-1.3	8.1	8.45
CVX Jan 19 '18 \$120 Put	CVX Jan 19 '18 \$120 Put	-1	5.9	1.1	5.75	5.9
CVX Mar 16 '18 \$115 Put	CVX Mar 16 '18 \$115 Put	1	4.8	0.15	4.65	4.85
CVX Jun 15 '18 \$110 Call	CVX Jun 15 '18 \$110 Call	4	10.7	0	9.95	10.15

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CXW	CORECIVIC INC COM	100	25.67	-0.5	25	26
CXW Jan 19 '18 \$35 Call	CXW Jan 19 '18 \$35 Call	1	0.04	0	0	0.05
D	DOMINION ENERGY INC CO	2	76.81	0	75.48	81
D Jan 18 '19 \$72.50 Call	D Jan 18 '19 \$72.50 Call	-7	7.7	0	6.8	7.3
D Jan 18 '19 \$75 Call	D Jan 18 '19 \$75 Call	7	5.48	-0	5.3	5.8
DAL	DELTA AIR LINES INC DEL C	1	52.01	0.33	51.95	52.01
DIDAF	DISTRIBUIDORA INTL D ALIM	30	5.809	0	0	0
DIS	DISNEY WALT CO COM DISN	1	100.1	-0	99.98	100.04
DIS Oct 20 '17 \$100 Call	DIS Oct 20 '17 \$100 Call	-10	1.11	-0.1	1.06	1.13
DIS Jan 19 '18 \$110 Call	DIS Jan 19 '18 \$110 Call	-15	0.81	0.08	0.79	0.82
DIS Apr 20 '18 \$100 Call	DIS Apr 20 '18 \$100 Call	10	5.26	-0.1	5.2	5.4
DIS Jun 15 '18 \$110 Call	DIS Jun 15 '18 \$110 Call	15	2.6	-0.2	2.48	2.65
DPSTF	DEUTSCHE POST AG BONN	4	44.52	0	0	0
DUK	DUKE ENERGY CORP NEW	1	84.64	0.35	84.25	84.92
DUK Jan 19 '18 \$80 Call	DUK Jan 19 '18 \$80 Call	10	5.1	0	5.2	5.5
DUK Jan 19 '18 \$82.50 Call	DUK Jan 19 '18 \$82.50 Call	-10	3.4	0.17	3.2	3.5
DWDP	DOWDUPONT INC COM	2	71.22	0.25	70.99	71.5
DWDP Dec 15 '17 \$55 Call	DWDP Dec 15 '17 \$55 Call	-2	11.15	0	16.1	16.6
DWDP Dec 15 '17 \$60 Call	DWDP Dec 15 '17 \$60 Call	-2	11.27	0.77	11.2	12.2
DWDP Jan 19 '18 \$45 Call	DWDP Jan 19 '18 \$45 Call	2	25.7	0	25.9	26.4
DWDP Jan 19 '18 \$60 Call	DWDP Jan 19 '18 \$60 Call	2	11.19	0	11.35	11.65
EQC	EQUITY COMWLTH COM SH	1	30.5	-0.3	0	33
ES	EVERSOURCE ENERGY CO	1	60.38	-0.3	60.02	60.98
ETP	ENERGY TRANSFER PARTN	100	18.54	0.02	18.55	18.98
ETR	ENTERGY CORP NEW COM	1	78.65	-0.4	76	79.45
ETR Oct 20 '17 \$77.50 Call	ETR Oct 20 '17 \$77.50 Call	-4	1.68	0.58	1.5	1.7
ETR Dec 15 '17 \$75 Call	ETR Dec 15 '17 \$75 Call	2	2.69	0	4.1	4.4
ETR Dec 15 '17 \$77.50 Call	ETR Dec 15 '17 \$77.50 Call	2	0.95	0	2.35	2.55
ETR Mar 16 '18 \$75 Call	ETR Mar 16 '18 \$75 Call	-2	5.2	-0.1	4.8	5.2
ETR Mar 16 '18 \$77.50 Call	ETR Mar 16 '18 \$77.50 Call	2	3.2	0.85	3.3	3.6
EXC	EXELON CORP COM	1	38.15	-0.2	38	38.4
EXC Oct 20 '17 \$35 Call	EXC Oct 20 '17 \$35 Call	-1	3.37	0	3.1	3.3
EXC Oct 20 '17 \$36 Call	EXC Oct 20 '17 \$36 Call	-1	2.35	0	2.15	2.3
EXC Jan 19 '18 \$30 Call	EXC Jan 19 '18 \$30 Call	2	8.4	0	8.1	8.4
EXC Jan 19 '18 \$32 Call	EXC Jan 19 '18 \$32 Call	-1	5.45	0	6.2	6.4
EXC Jan 19 '18 \$35 Call	EXC Jan 19 '18 \$35 Call	1	2.67	0	3.4	3.6
F	FORD MTR CO DEL COM PA	1	12.31	0.06	12.28	12.31
F Jan 19 '18 \$11.75 Call	F Jan 19 '18 \$11.75 Call	-3	0.78	0.04	0.77	0.8
F Jan 19 '18 \$12 Call	F Jan 19 '18 \$12 Call	3	0.64	0.06	0.62	0.64
FDX	FEDEX CORP COM	100	220.8	-0.8	220.5	221.14
FDX Oct 20 '17 \$210 Call	FDX Oct 20 '17 \$210 Call	-1	11.32	-0.3	11.2	11.55
FDX Oct 13 '17 \$222.50 Call	FDX Oct 13 '17 \$222.50 Call	2	1.31	-0.6	1.6	1.34
FDX Jan 19 '18 \$130 Call	FDX Jan 19 '18 \$130 Call	2	91.6	0	90.8	91.65
FDX Jan 19 '18 \$150 Call	FDX Jan 19 '18 \$150 Call	-6	78.25	0	69.95	72.2
FDX Jan 19 '18 \$170 Call	FDX Jan 19 '18 \$170 Call	-2	39.53	0	50.85	52.55
FDX Jan 19 '18 \$190 Call	FDX Jan 19 '18 \$190 Call	6	32.68	-0	32.25	32.95
FDX Jan 19 '18 \$200 Call	FDX Jan 19 '18 \$200 Call	-4	24	-0.3	23.6	24.05
FDX Jan 19 '18 \$210 Call	FDX Jan 19 '18 \$210 Call	-2	16	-0.7	15.75	16.15
FDX Jan 19 '18 \$220 Call	FDX Jan 19 '18 \$220 Call	2	9.6	-0.5	9.5	9.7

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FDX Apr 20 '18 \$220 Call	FDX Apr 20 '18 \$220 Call	3	13.45	0	13.45	13.85
FDX Jan 18 '19 \$220 Call	FDX Jan 18 '19 \$220 Call	2	23.31	0	22.3	22.9
FE	FIRSTENERGY CORP COM	1	31.38	0.05	30.15	31.7
FGP	FERRELLGAS PARTNERS L	1	5.06	-0.1	4.95	5.19
FIT Jan 19 '18 \$13 Call	FIT Jan 19 '18 \$13 Call	1	0.07	0	0.04	0.06
FXB	CURRENCYSHARES BRITISH	100	127.1	-0.5	119	135
FXB Oct 20 '17 \$126 Call	FXB Oct 20 '17 \$126 Call	5	3.39	0	1.45	1.65
FXB Oct 20 '17 \$127 Call	FXB Oct 20 '17 \$127 Call	-2	0.9	-0.5	0.85	1
FXB Oct 20 '17 \$129 Call	FXB Oct 20 '17 \$129 Call	-1	0.25	-0.1	0.15	0.3
FXB Oct 20 '17 \$130 Call	FXB Oct 20 '17 \$130 Call	-8	0.08	-0.1	0	0.15
FXB Nov 17 '17 \$130 Call	FXB Nov 17 '17 \$130 Call	5	0.42	-0.8	0.4	0.55
FXE	CURRENCYSHARES EURO	1	113.3	0.3	112.3	118
GD	GENERAL DYNAMICS CORP	1	212.6	-0.9	212	212.99
GD Nov 17 '17 \$200 Call	GD Nov 17 '17 \$200 Call	-1	14.9	-0.1	14.2	14.7
GD Jan 19 '18 \$200 Call	GD Jan 19 '18 \$200 Call	1	16.55	-0.4	16.3	16.8
GE	GENERAL ELECTRIC CO CO	1,001	24.39	-0.2	24.28	24.3
GE Jan 18 '19 \$30 Call	GE Jan 18 '19 \$30 Call	-10	0.45	0.09	0.4	0.5
GILD	GILEAD SCIENCES INC COM	1	82.14	-1.4	82.02	82.29
GILD Oct 20 '17 \$85 Call	GILD Oct 20 '17 \$85 Call	-2	0.57	-0.4	0.53	0.58
GILD Jan 19 '18 \$75 Call	GILD Jan 19 '18 \$75 Call	3	8.95	-0.9	8.8	8.95
GILD Jan 19 '18 \$80 Call	GILD Jan 19 '18 \$80 Call	-1	5.55	-0.8	5.45	5.6
GIS	GENERAL MILLS INC COM	1	51.4	-0.7	51.4	51.59
GIS Oct 20 '17 \$52.50 Call	GIS Oct 20 '17 \$52.50 Call	-1	0.32	-0.1	0.28	0.36
GIS Nov 17 '17 \$52.50 Call	GIS Nov 17 '17 \$52.50 Call	1	0.88	-0.1	0.82	0.97
GM	GENERAL MTRS CO COM	201	44.93	1.08	44.85	44.9
GM Jan 19 '18 \$35 Call	GM Jan 19 '18 \$35 Call	-2	10.2	1.17	9.95	10.2
GS	GOLDMAN SACHS GROUP II	1	246	-0	246	247.5
GS Jan 18 '19 \$240 Call	GS Jan 18 '19 \$240 Call	-2	30.6	0.6	29.95	30.55
GS Jan 18 '19 \$250 Call	GS Jan 18 '19 \$250 Call	2	25.05	-0	24.8	25.35
HD	HOME DEPOT INC COM	1	165.9	-0.3	165.8	165.95
HD Jan 19 '18 \$125 Call	HD Jan 19 '18 \$125 Call	-1	41.19	0	40.45	41.9
HD Jan 19 '18 \$150 Call	HD Jan 19 '18 \$150 Call	1	17.28	-0.2	16.25	17.9
HHC	HOWARD HUGHES CORP C	1	118.4	-0.6	0	0
HII	HUNTINGTON INGALLS INDS	1	235.8	1.67	201.2	0
HLT	HILTON WORLDWIDE HLDG	1	69.48	0.11	68.49	70
HOVNP	HOVNANIAN ENTERPRISES	1	6.6	-0.2	0	0
HPQ	HP INC COM	1	20.58	0.23	20.42	20.7
HSBC	HSBC HLDGS PLC SPON AD	1	49.5	-0.2	49.18	49.86
HSBC Oct 13 '17 \$49 Call	HSBC Oct 13 '17 \$49 Call	-20	0.57	0	0.55	0.68
HSBC Nov 17 '17 \$49 Call	HSBC Nov 17 '17 \$49 Call	20	1.1	0	1.11	1.25
HSBC Dec 15 '17 \$45 Call	HSBC Dec 15 '17 \$45 Call	-10	4.65	0	4.4	4.65
HSBC Jan 18 '19 \$42 Call	HSBC Jan 18 '19 \$42 Call	10	7.5	0	7.25	8.45
HST	HOST HOTELS & RESORTS	1	18.34	0.02	17.5	18.7
HST Jan 19 '18 \$17 Call	HST Jan 19 '18 \$17 Call	-7	1.76	0.1	1.75	1.85
HST Jan 18 '19 \$17 Call	HST Jan 18 '19 \$17 Call	7	2.5	0.53	2.3	2.65
ICAGY	INTERNATIONAL CONS AIRL	5	16.04	-0.1	0	0
INTC	INTEL CORP COM	1	39.63	0.1	39.59	39.66
IP	INTL PAPER CO COM	1	57.45	-0.3	56.05	58
IP Jan 18 '19 \$50 Call	IP Jan 18 '19 \$50 Call	-1	8.7	0	9.55	10.05

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IP Jan 18 '19 \$52.50 Call	IP Jan 18 '19 \$52.50 Call	1	8.28	0.15	8	8.25
KCAP	KCAP FINL INC COM	1	3.77	-0.2	3.43	3.88
KMI	KINDER MORGAN INC DEL C	100	19.02	-0.1	19	19.02
KMI Jan 19 '18 \$20 Call	KMI Jan 19 '18 \$20 Call	-1	0.4	-0.1	0.39	0.46
KO	COCA COLA CO COM	1	45.49	-0	45.4	45.59
KST	DEUTSCHE STRATEGIC INC	1	12.49	-0.1	11.25	13.85
LB	L BRANDS INC COM	300	42.92	0.13	41.5	44
LB Feb 16 '18 \$40 Call	LB Feb 16 '18 \$40 Call	-3	5	0	5.1	5.4
LMT	LOCKHEED MARTIN CORP C	1,001	316.5	1.88	316.3	316.98
LMT Oct 20 '17 \$300 Call	LMT Oct 20 '17 \$300 Call	-7	16.47	1.67	16.2	16.7
LMT Dec 15 '17 \$280 Call	LMT Dec 15 '17 \$280 Call	-7	36.5	1.1	35.3	39.8
LMT Jan 19 '18 \$250 Call	LMT Jan 19 '18 \$250 Call	-5	65	0	64.8	68.9
LMT Jan 19 '18 \$260 Call	LMT Jan 19 '18 \$260 Call	11	56	1	55	57.5
LMT Jan 19 '18 \$280 Call	LMT Jan 19 '18 \$280 Call	1	37.88	1.77	37.6	38.3
LMT Jan 19 '18 \$300 Call	LMT Jan 19 '18 \$300 Call	-5	19.87	1.12	18.2	20.6
LMT Jan 18 '19 \$260 Call	LMT Jan 18 '19 \$260 Call	-2	60.62	1.08	59.6	63.4
LMT Jan 18 '19 \$270 Call	LMT Jan 18 '19 \$270 Call	2	52.3	0.78	51.3	53.6
LMT Jan 18 '19 \$300 Call	LMT Jan 18 '19 \$300 Call	2	31.6	1.9	31.3	33.5
LVS	LAS VEGAS SANDS CORP C	1,001	64.26	-0.8	64.05	64.22
LVS Dec 15 '17 \$60 Call	LVS Dec 15 '17 \$60 Call	-12	6.31	0	5.35	5.55
LVS Mar 16 '18 \$62.50 Call	LVS Mar 16 '18 \$62.50 Call	2	4.68	-0.5	4.7	4.95
LYB	LYONDELLBASELL INDUSTR	1	98.9	-0.6	96.5	0
LYB Oct 13 '17 \$100 Put	LYB Oct 13 '17 \$100 Put	-1	1.5	0.25	1.4	1.55
LYB Dec 15 '17 \$100 Put	LYB Dec 15 '17 \$100 Put	1	4.4	0.2	4.2	4.5
LYB Jan 19 '18 \$100 Call	LYB Jan 19 '18 \$100 Call	1	3.43	-0.4	3.4	3.7
MAC	MACERICH CO COM	0.1	56.44	-0.7	6.35	64.54
MET	METLIFE INC COM	1	53.02	0.44	50.15	53.29
MGM Nov 17 '17 \$33 Call	MGM Nov 17 '17 \$33 Call	10	0.45	-0	0.44	0.49
MGP	MGM GROWTH PPTYS LLC C	1	30.02	0.1	29.35	30.9
MGP Oct 20 '17 \$30 Put	MGP Oct 20 '17 \$30 Put	-3	0.54	0	0.2	0.85
MGP Nov 17 '17 \$30 Put	MGP Nov 17 '17 \$30 Put	5	0.55	0	0.45	1.25
MGP Dec 15 '17 \$25 Call	MGP Dec 15 '17 \$25 Call	3	5.2	0	4.5	5.8
MGP Dec 15 '17 \$30 Call	MGP Dec 15 '17 \$30 Call	-4	0.9	0	0.8	1.15
MGP Dec 15 '17 \$35 Call	MGP Dec 15 '17 \$35 Call	3	0.2	0	0	0.65
MO	ALTRIA GROUP INC COM	1	62.55	-1.3	62.54	62.6
MO Oct 20 '17 \$62.50 Call	MO Oct 20 '17 \$62.50 Call	-3	0.96	-0.8	0.92	1.08
MO Jan 19 '18 \$60 Call	MO Jan 19 '18 \$60 Call	3	4.3	-0.8	3.95	4.35
MTN	VAIL RESORTS INC COM	201	217.7	1.16	215	220.68
MTN Oct 20 '17 \$210 Call	MTN Oct 20 '17 \$210 Call	-4	8	-2.5	8.2	9.1
MTN Oct 20 '17 \$220 Call	MTN Oct 20 '17 \$220 Call	-1	1.75	-0.1	1.85	2.1
MTN Oct 20 '17 \$220 Put	MTN Oct 20 '17 \$220 Put	-1	5	-0.9	4.1	4.4
MTN Nov 17 '17 \$220 Call	MTN Nov 17 '17 \$220 Call	2	4	0.3	4.2	4.6
MTN Nov 17 '17 \$220 Put	MTN Nov 17 '17 \$220 Put	1	6.9	0.87	6.2	6.7
MTN Jan 19 '18 \$210 Call	MTN Jan 19 '18 \$210 Call	1	13.8	0.84	13.7	14.4
NAT	NORDIC AMERICAN TANKER	1	5.26	-0.2	5.23	5.35
NCMI	NATIONAL CINEMEDIA INC C	1	7.38	-0.1	5.52	8.28
NEE	NEXTERA ENERGY INC COM	1	147.5	-0.3	147.3	148.84
NEE Oct 20 '17 \$145 Call	NEE Oct 20 '17 \$145 Call	-3	3.84	0	3	3.4
NEE Dec 15 '17 \$145 Call	NEE Dec 15 '17 \$145 Call	3	5.49	0	5.1	5.6

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NGG	NATIONAL GRID PLC SPONS	1	62.26	-0.1	61.72	68.7
NKE	NIKE INC CL B	1	52.42	0.24	52.25	52.46
NKE Jan 19 '18 \$52.50 Call	NKE Jan 19 '18 \$52.50 Call	-2	2.3	0.05	2.34	2.37
NKE Jan 19 '18 \$55 Call	NKE Jan 19 '18 \$55 Call	6	1.33	0.1	1.31	1.34
NKE Jan 19 '18 \$57.50 Call	NKE Jan 19 '18 \$57.50 Call	-2	0.68	0.06	0.67	0.69
NKE Jan 19 '18 \$60 Call	NKE Jan 19 '18 \$60 Call	-2	0.3	-0	0.32	0.35
NS Dec 15 '17 \$45 Call	NS Dec 15 '17 \$45 Call	-2	0.15	0	0.1	0.2
NS Dec 15 '17 \$50 Call	NS Dec 15 '17 \$50 Call	2	0.01	0	0	0.05
NS Mar 16 '18 \$45 Call	NS Mar 16 '18 \$45 Call	1	0.45	0	0.35	0.5
NSH	NUSTAR GP HOLDINGS LLC	200	21.7	0.1	20.1	21.7
NSH Dec 15 '17 \$22.50 Call	NSH Dec 15 '17 \$22.50 Call	-2	0.9	0	0.35	0.6
OMC	OMNICOM GROUP INC COM	1	75.42	-1	72	84.05
ORAN	ORANGE SPONSORED ADR	1	16.38	0.18	14.55	17.25
ORCL	ORACLE CORP COM	1	48.4	-0.5	48.34	48.4
PBR.A	PETROLEO BRASILEIRO SA	2	9.91	-0.2	0	12.25
PBT	PERMIAN BASIN RTY TR UN	1	9.01	0.01	8	9
PCG	PG&E CORP COM	101	68.84	-0.2	67.5	69.5
PCG Oct 20 '17 \$70 Call	PCG Oct 20 '17 \$70 Call	-5	0.2	-0.1	0.1	0.2
PCG Oct 20 '17 \$70 Put	PCG Oct 20 '17 \$70 Put	-2	1.2	0	1.25	1.45
PCG Nov 17 '17 \$65 Call	PCG Nov 17 '17 \$65 Call	-1	3.2	0	4	4.3
PCG Dec 15 '17 \$70 Call	PCG Dec 15 '17 \$70 Call	5	0.95	0	1	1.15
PCG Dec 15 '17 \$70 Put	PCG Dec 15 '17 \$70 Put	2	2.65	0	2.05	2.2
PCH	POTLATCH CORP NEW COM	1	50.7	-0.2	50	79.95
PEG	PUBLIC SVC ENTERPRISE G	1	47.6	0.15	47.01	47.95
PEG Oct 20 '17 \$45 Call	PEG Oct 20 '17 \$45 Call	-2	2.4	0	2.45	2.7
PEG Mar 16 '18 \$45 Call	PEG Mar 16 '18 \$45 Call	2	3.37	0.07	3.4	3.7
PFE	PFIZER INC COM	1	36.05	0.05	35.9	36.14
PFE Jan 19 '18 \$30 Call	PFE Jan 19 '18 \$30 Call	-15	5.93	0	5.95	6.3
PFE Jan 18 '19 \$30 Call	PFE Jan 18 '19 \$30 Call	15	6.41	0.11	6.3	6.6
PG	PROCTER AND GAMBLE CO	1	92.33	0.3	92.22	92.33
PHM	PULTE GROUP INC COM	1	27.23	0.03	27	28.22
PM	PHILIP MORRIS INTL INC CO	1	111.3	-0.3	110.8	111.27
PPL	PPL CORP COM	1	37.32	0.02	37.15	37.69
PPL Oct 20 '17 \$40 Call	PPL Oct 20 '17 \$40 Call	-1	0.03	0	0	0.05
PPL Jan 19 '18 \$38 Call	PPL Jan 19 '18 \$38 Call	-3	0.75	0	0.7	0.8
PPL Apr 20 '18 \$38 Call	PPL Apr 20 '18 \$38 Call	2	1.11	-0.2	1.05	1.25
PPL Apr 20 '18 \$40 Call	PPL Apr 20 '18 \$40 Call	2	0.45	0	0.4	0.55
PRU	PRUDENTIAL FINL INC COM	1	109.7	0.39	105.5	110.5
PRU Oct 20 '17 \$100 Call	PRU Oct 20 '17 \$100 Call	-1	9.95	0.55	9.6	9.95
PRU Jan 19 '18 \$100 Call	PRU Jan 19 '18 \$100 Call	-1	8.6	0	11	11.4
PRU Mar 16 '18 \$100 Call	PRU Mar 16 '18 \$100 Call	2	11.85	0	11.95	12.35
PSXP Oct 20 '17 \$55 Call	PSXP Oct 20 '17 \$55 Call	-5	0.23	0	0	0.15
PSXP Oct 20 '17 \$55 Put	PSXP Oct 20 '17 \$55 Put	-5	2.05	0	1.9	2.3
PSXP Dec 15 '17 \$55 Call	PSXP Dec 15 '17 \$55 Call	5	0.95	0	0.7	0.9
PSXP Dec 15 '17 \$55 Put	PSXP Dec 15 '17 \$55 Put	5	3.3	0	3.2	3.5
PX	PRAXAIR INC COM	1	142	-0.4	96.13	143.5
QCOM Jan 19 '18 \$50 Call	QCOM Jan 19 '18 \$50 Call	-2	3.86	0.1	3.8	3.95
QCOM Jan 19 '18 \$55 Call	QCOM Jan 19 '18 \$55 Call	-1	1.42	0.05	1.41	1.49
QCOM Apr 20 '18 \$50 Call	QCOM Apr 20 '18 \$50 Call	3	4.85	0.08	4.8	4.9

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RDS.A		ROYAL DUTCH SHELL PLC \$	1	60.15	-0.9	60	60.15
RDSA Oct 20 '17 \$57.50 Call	RDSA Oct 20 '17 \$57.50 Call		-2	2.7	-0.8	2.65	2.95
RDSA Nov 17 '17 \$57.50 Call	RDSA Nov 17 '17 \$57.50 Call		3	2.94	0	2.95	3.3
RDSA Dec 15 '17 \$55 Call	RDSA Dec 15 '17 \$55 Call		-1	5.4	-0.9	5.1	5.6
RGR		STURM RUGER & CO INC CO	1	52.75	-1.4	52.55	53
RGR Oct 20 '17 \$55 Call	RGR Oct 20 '17 \$55 Call		-1	0.9	0	0.35	0.6
RGR Jan 19 '18 \$55 Call	RGR Jan 19 '18 \$55 Call		1	3	-0.2	2.4	2.8
RIG		TRANSOCEAN LTD REG SHS	200	10.31	-0.2	10.27	10.32
RTN		RAYTHEON CO COM NEW	100	187.7	0.55	187.5	189.43
RTN Jan 18 '19 \$160 Call	RTN Jan 18 '19 \$160 Call		-1	32.41	0	31.55	34.7
SBUX		STARBUCKS CORP COM	1	55.17	0.57	55.13	55.18
SBUX Jan 18 '19 \$50 Call	SBUX Jan 18 '19 \$50 Call		-10	8.15	0.35	7.9	8.35
SBUX Jan 18 '19 \$60 Call	SBUX Jan 18 '19 \$60 Call		20	3	0.15	2.93	3.05
SCMWY		SWISSCOM AG SPONSORE	1	50.78	-0.3	0	0
SDRL		SEADRILL LIMITED SHS	400	0.38	0	0.37	0.399
SFL		SHIP FINANCE INTERNATIO	1	14.45	-0.3	14.25	14.85
SIX		SIX FLAGS ENTMT CORP NE	1	60.17	-1.1	52.5	0
SIX Oct 20 '17 \$60 Call	SIX Oct 20 '17 \$60 Call		-4	1.2	-1.1	1.15	1.3
SIX Oct 20 '17 \$60 Put	SIX Oct 20 '17 \$60 Put		-1	0.84	0.21	1	1.15
SIX Dec 15 '17 \$60 Call	SIX Dec 15 '17 \$60 Call		4	3.7	0	2.7	2.9
SIX Dec 15 '17 \$60 Put	SIX Dec 15 '17 \$60 Put		1	2.75	-0.2	2.95	3.2
SJT		SAN JUAN BASIN RTY TR UN	1	7.65	-0	7.45	7.75
SNA		SNAP ON INC COM	1	149.3	0.68	0	157.6
SNN		SMITH & NEPHEW PLC SPD	2	36.61	0.09	35.51	0
SO		SOUTHERN CO COM	1	49.59	0.23	49.07	49.7
SOUHY		SOUTH32 LTD SPONSORED	40	12.83	0.02	0	0
SPG		SIMON PPTY GROUP INC NE	1	160.2	-1	150	162
SPH		SUBURBAN PROPANE PART	100	26.29	0.04	25.9	26.6
STWD		STARWOOD PPTY TR INC C	1	21.65	-0.1	21.2	21.98
STWD Dec 15 '17 \$22.50 Call	STWD Dec 15 '17 \$22.50 Call		3	0.11	0	0.05	0.1
SUN		SUNOCO LP COM U REP LP	2	31.73	0.09	31	32.25
SUN Oct 20 '17 \$32.50 Call	SUN Oct 20 '17 \$32.50 Call		-3	0.25	0	0.1	0.2
SUN Oct 20 '17 \$32.50 Put	SUN Oct 20 '17 \$32.50 Put		-3	0.9	0	0.8	1.05
SUN Dec 15 '17 \$30 Put	SUN Dec 15 '17 \$30 Put		3	0.74	0.08	0.65	0.75
SUN Dec 15 '17 \$32.50 Call	SUN Dec 15 '17 \$32.50 Call		-2	0.55	-0.1	0.45	0.6
SUN Mar 16 '18 \$32.50 Call	SUN Mar 16 '18 \$32.50 Call		5	0.95	-0.1	0.8	1
SVU		SUPERVALU INC COM NEW	1	21.74	-0.1	10	22.36
SYU		SYSCO CORP COM	1	54.23	-0.1	53.9	55
T		AT&T INC COM	1	38.59	-0.9	38.57	38.59
T Oct 20 '17 \$41 Call	T Oct 20 '17 \$41 Call		-30	0.02	-0	0.02	0.03
T Jan 19 '18 \$37 Call	T Jan 19 '18 \$37 Call		-17	2.45	-0.3	2.4	2.52
T Jan 19 '18 \$40 Call	T Jan 19 '18 \$40 Call		-22	0.81	-0.2	0.8	0.84
T Jun 15 '18 \$38 Call	T Jun 15 '18 \$38 Call		17	2.4	-0.2	2.31	2.37
T Jan 18 '19 \$40 Call	T Jan 18 '19 \$40 Call		52	1.91	-0.2	1.91	1.95
TD		TORONTO DOMINION BK ON	1	56.16	-0.1	55.32	56.16
TEF		TELEFONICA S A SPONSOR	101	10.51	0.05	10.01	11.02
TEF Nov 17 '17 \$10 Call	TEF Nov 17 '17 \$10 Call		-5	0.6	-0	0.5	0.75
TEF Jun 15 '18 \$10 Call	TEF Jun 15 '18 \$10 Call		4	0.95	0.05	0.8	1.1
TK		TEEKAY CORPORATION CO	1	8.8	-0.3	8.81	9.2

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10/10/2017

Fidelity Investments

All Accounts

Positions

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Fidelity

AS OF 10/10/2017 3:05 PM ET

Group by Account

Show

Open Positions

Susan Szanto - TRADING

Symbol	Last Price	Today's Gain/Loss	Total Gain/Loss	Current Value	Quantity	Cost Basis	52-Week High/Low
FCASH**	\$1.00	n/a	n/a	\$0.39	0.390	n/a	n/a
CASH	\$0.00	n/a	n/a				
AEP	\$72.120	+\$0.38	--	\$72.12	1.000	--	\$57.89
AMERICAN ELEC P...	+\$0.38	+0.53%	--				\$74.59
ALE	\$78.960	+\$0.88	+\$38.18	\$78.96	1.000	\$40.78/Share	\$56.48
ALLETE INC COM NEW	+\$0.88	+1.13%	+93.62%			\$40.78	\$79.61
ATO	\$85.660	+\$0.90	--	\$256.98	3.000	--	\$68.51
ATMOS ENERGY CO...	+\$0.30	+0.35%	--				\$89.00
CL	\$72.910	+\$1.10	--	\$145.82	2.000	--	\$63.43
COLGATE-PALMOLIV...	+\$0.55	+0.76%	--				\$77.27
JPM	\$97.065	+\$0.65	--	\$97.06	1.000	--	\$66.74
JPMORGAN CHASE ...	+\$0.655	+0.68%	--				\$97.64
NSC	\$130.120	-\$0.67	--	\$130.12	1.000	--	\$89.95
NORFOLK SOUTHER...	-\$0.67	-0.51%	--				\$133.81
PHM	\$26.850	-\$0.30	--	\$26.85	1.000	--	\$17.69
PLTEGROUP INC F...	-\$0.30	-1.10%	--				\$27.76
QCOM	\$53.640	+\$0.76	--	\$53.64	1.000	--	\$48.92
QUALCOMM INC	+\$0.76	+1.44%	--				\$71.62
RWT	16.520	+\$0.12	--	\$99.12	6.000	--	\$13.57
REDWOOD TRUST INC	+\$0.02	+0.12%	--				\$17.45
Total		+\$3.82	+\$38.18	\$961.06			
		+0.40%	+93.62%				

10-10-2017 from Peter Szanto

16-33185

Dear Ms McClurg –

Please find attached materials you requested.

Additional materials are being prepared and will be provided to you shortly.

I believe you have misconceptions about what materials are available to me. The bank statements provided to you previously are those that are available to me. I have provided what I have – and accompanying the Monthly Operating Reports, I will continue to provide what is available to me.

As to other bank accounts over which I may have control or interest.

Mrs. Szanto and I have 40 years of business partnership, joint tenant and community property bank accounts. Since we separated, I have attempted to remove my name from all accounts. As you know, I was not completely successful in that regard, but since being alerted to the problem I have closed several joint accounts and removed my name from some others.

However, I have always complied with the rule that requires me to use only the Debtor in Possession accounts. (except as to those times described in the Response to the Motion to Convert)

Your requests for statements are not the way I manage my finances.

I do not request statements (save paper – protect the environment) and they are not automatic to any of my accounts.

Szanto to McClurg p.2.

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This is most clear in my E-Trade account. I do approximately 40,000 (forty thousand) trades a year. Not only would it be impractical for me to receive the 100 monthly pages, or more, that such a document would cover; the statement would be useless information for the type of trading strategies I pursue and regularly undertake.

I have printed out and attached my current positions to show the complexity that is involved. That is, these 400, plus, positions are what I daily trade. Some positions are not held even for an hour and so do not become a part of any tabulation statement I could deliver to you.

The E-Trade account is also made complicated, because I have several sub-accounts for special strategies that I commence. For this reason, because the sub-accounts all have separate balances, there is no consolidated balances page that would be meaningful to you.

Obtaining the balances and values in a format that is usable to you is something that I am working on diligently. I will provide it as soon as it is available.

In the motion to convert, I was shocked that a 1 cent account and a \$14 rebate for Colgate whitening strips seek to support allegations of mismanagement. Or that, because I signed a penny check to Mrs. Szanto's fidelity account, I must have control of some unspecified nature.

Likewise, the untrue allegation that because I, pre-petition, used a Visa card, I must be lying about credit cards was very surprising. I assumed that because Visa, supports and has been clearing agent for all ATM cards for the last 40 years, everyone knew that not all Visa cards are credit cards. The assumption presented to the Court purposefully disregarded the reality that **debit cards** are also Visa cards. And this was all done to make it appear that I am mis-representing my finances.

I mention this as just one point – of many -- whereby it is clear to me that what is occurring here is not any attempt by the U.S. Trustee to supervise my bankruptcy, but rather an effort, by any means, to disparage my re-organization efforts and to paint me in the worst and ugliest light to the Court – **irrespective of the fact that false conclusions are intentionally drawn from incorrect facts.**

The effort to convert my case to Chapter 7, is also compounded by the fact that much of the materials which you received were obtained by an improper use of the subpoena power. That is, improperly advising responding parties (without notice to me) that a denial of my motion to quash **without prejudice** meant that papers had to be turned over immediately. The responding parties to whom I talked about this strategy were terrified by the threats made against them. And it also demonstrates a disregard of ethics requirements for attorneys not to mislead lay-persons by mis-representing legal principles to the unknowledgeable and un-trained.

This problem creates the issue as to what extent you are permitted to use, rely and testify about materials which were obtained outside the parameters of the rules of the subpoena power.

This is one of many important questions I want to discuss with the Court at the 10-18-17 motion to convert.

For these reasons, I would respectfully request that you reschedule the 10-17-17 creditor's hearing which you have scheduled.

Good causes for rescheduling are (in addition to those outlined above):

1. – you intend to ask me questions about materials you obtained outside the proper bounds of the subpoena power. I believe the Court should weigh-in about these materials and their proper use.
2. – you will likely ask me a very loaded question - such as are there any other accounts in my name. As my inquiry after the Motion to Convert was filed the Fidelity and Wells Fargo still have my name attached based on community property disclosures with which Mrs. Szanto always complies (see other issue re Wells at # 3).

Because my inquiry is not complete based on 40 years of co-mingled finances, I am reluctant to answer such questions under oath for fear of making another penny mistakes and being accused of perjury. This too is a matter I wish to discuss with the Court.

Szanto to McClurg p.5.

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3. the issue with the Wells Fargo account was truly a surprise to me. Having gifted those shares to my children, I did not know they were any longer in my name. Likewise, when you look at the Wells Fargo list you will see that all the Joint tenant accounts (except for \$76) have been closed. I am sure that the reason that account is still open is because of the inability of that company to sell a fractional share.

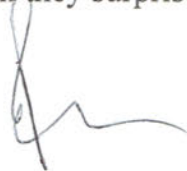
Here again, I am not prepared to testify to matters about which I cannot be completely certain.

Lastly, I am preparing a revised assets and liabilities schedule, but the finalization is slow for the reasons explained here. It will be filed as possible.

To summarize, I am working to complete your requests.

However, I would respectfully request you postpone the creditors meeting until we go over these matters with Judge McKittrick – so that the meeting is productive rather than purely accusatory regarding matters which surprised me, far more than they surprised you.

Kindest regards, /s/





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OMC 75.42 -0.95 | -1.24 % GE 24.39 -0.15 | -0.61 % ALE 78.31 -0.18 | -0.23 % IDA 88.44 -0.25 | -0.28 % MDU 26.60 -0.11 | -0.4

Account Overview

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Security Details	Account Number	Ownership Type	Security Type	Stock Quote	Shares	Previous Day Price/Share (\$)	*Current Price/Share (\$)	Current Price Asset Value(\$)
ALLETE, INC.								
View Details	0075	JT, TenCom	COMMON	ALE	0.000	78.4900	78.3100	0.00
								0.00
DTE ENERGY COMPANY								
View Details	0591	JT, TenCom	COMMON	DTE	0.000	107.7500	107.6800	0.00
								0.00
GENERAL ELECTRIC COMPANY								
View Details	0455	JT, TenCom	COMMON STOCK	GE	0.000	24.5400	24.3900	0.00
								0.00
HORMEL FOODS CORPORATION								
View Details	0561	Single	COMMON	HRL	7.720	31.6700	31.6200	244.11
								244.11
IDACORP, INC.								
View Details	0263	JT, TenCom	COMMON	IDA	0.869	88.6900	88.4400	76.85
								76.85
KRAFT FOODS GROUP, INC.								
View Details	0561	Single	COMMON STOCK	KRFI	0.000	N/A	N/A	N/A
MDU RESOURCES GROUP, INC.								
View Details	0263	JT, TenCom	COMMON	MDU	0.000	26.7100	26.6000	0.00
								0.00
MONDELEZ INTERNATIONAL, INC								
View Details	0561	Single	COMMON	MDLZ	1.227	41.1000	41.1300	50.47
								50.47
OMNICOM GROUP INC.								
View Details	02388	Single	COMMON	OMC	12.503	76.3700	75.4200	942.98
								942.98
THE CHARLES SCHWAB CORPORATION								
View Details	0520	Single	COMMON	SCHW	14.253	45.1800	45.3400	646.23
								646.23
THE PROCTER & GAMBLE COMPANY								

Security Details	Account Number	Ownership Type	Security Type	Stock Quote	Shares	Previous Day Price/Share (\$)	*Current Price/Share (\$)	Current Price Asset Value(\$)
View Details	██████████2175	Single	COMMON STOCK	PG	1.594	92.0300	↑ 92.3300	147.17
View Details	██████████9858	Single	Common Closed Accounts	XXXXXX	0.000	N/A	N/A	N/A
								147.17
WELLS FARGO & COMPANY								
View Details	██████████4918	Single	COMMON	WFC	2.317	55.3900	↑ 55.5800	128.78
								128.78
Total Asset Value:								2,236.59

Quotes delayed by at least 15 minutes. Market data provided by ICE Data Services, [ICE Limitations](#). Powered and implemented by FactSet, [Legal Statement](#). Hemsco equity data provided by Morningstar, Inc. News provided by Comtex News Network. SEC Filings provided by 2017 EDGAR Online, a division of Donnelley Financial Solutions.

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